

A N
I N Q U I R Y,
HISTORICAL and CRITICAL,
I N T O T H E
E V I D E N C E
A G A I N S T
M A R Y Queen of S C O T S.

A N D

AN EXAMINATION of the Histories of Dr Robert-
son and Mr Hume, with respect to that Evidence.

*When you shall these unlucky deeds relate,
Speak of me as I am, nothing extenuate,
Nor set down aught in malice. — SHAKES.*

The SECOND EDITION, with ADDITIONS.

E D I N B U R G H:

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P R E F A C E.

THE history of Scotland during the unfortunate reign of Queen Mary, has always been looked upon as one of the most interesting periods of modern history. Of late it has been treated at large by two eminent writers, whose works make a considerable figure in the republic of letters ; I mean, the Reverend Dr Robertson, and David Hume, Esq;

It is perhaps none of the least advantages which we now enjoy, that bigotry and party-rage, have at length subsided. Whatever may be the vices of the present times, surely credulity will not be imputed to us. Every person now expects to be convinced by proof only, such as from the nature of things may be expected.

It may seem strange, yet it is nevertheless true, that the truth of the facts relating to the above æra, may with more certainty be judged of at this day, than could have been done at the time when they happened: This may easily be accounted for. The partisans of those times were too much in-

flamed to trace coolly, and with deliberation, the certain evidence of facts. Heated with passion, declamation often suppli- ed the place of reason and proof. Hence it is, that from the many volumes of the controversial writers of that age, it is no easy matter at this day to investigate truth.

The genuine writings relating to the above period, from which moderate men could with certainty have judged, were not to be come at. Locked up in the cabinets of ministers, whose interest it was to have them concealed, they lay hid, until the hand of time has at length thrown open the repositories, and produced these writings into light. The large collections of state-papers from the Cotton library and Paper-office published by Anderson, Cecil Lord Burleigh's papers, published by Haynes, Dr Forbes's papers, and a still later collection of the above minister's papers from the Hatfield library, published so late as the year 1759, by Murchison, all serve to throw new light upon the transactions of the English court with respect to Mary Queen of Scotland.

It is true, however, that such part of the written evidence as served to blacken and
defame

P R E F A C E.

defame that princess, was taken care to be published at the time, and spread abroad against her. Such were certain *letters* said to have been written by her to the Earl of Bothwell. Upon the evidence of these, Mary has been generally condemned, and her name consigned to infamy. And indeed, if we admit these writings to be genuine, her advocates will labour in vain to convince the world of her innocence.

These writings were, however, not only denied by the Queen to be hers, but positively asserted by her and her friends to have been forged by the Earls of Murray and Morton, her accusers, who produced them against her.

A late author, the learned Mr Goodall, keeper of the Advocates library at Edinburgh, was the first who attempted to bring a direct proof of the forgery of the *letters*. His examination of them, and the conclusion he has drawn from thence, is one of the most acute and ingenious pieces of criticism that is extant.

On the other hand, Dr Robertson and Mr Hume have, in opposition to Mr Goodall, endeavoured to support the authenticity of these *letters*.

In

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In this state the author of the following treatise has taken up the question. Curiosity, and a strong desire to find out the truth, were inducements to him to try, if, amidst so many mazes and perplexed windings, some path might not be fallen upon that led to truth.

His plan was, to trace these letters, step by step, from their first appearance in the hands of the Earl of Morton, who produced them against Queen Mary; and to remark, with care and candour, every circumstance that attended them, through the whole procedure in the conferences before Queen Elisabeth and the English council.

Towards this plan Mr Goodall had smoothed the way, by the collection of original papers contained in the second volume of his work; by which he has united the chain of procedure in the above conferences, and supplied us with such papers as Anderson in his collections has with much partiality suppressed.

In proceeding upon this plan, the author was soon sensible of the light breaking in upon him, by the beams of which he has been directed.

Besides

Besides the Queen's letters to the Earl of Bothwell, some other pieces of written evidence were produced by the Earls of Murray and Morton against her, which Mr Goodall had not examined; such as, the *love-verses or sonnets* said to be written by her to Bothwell; also the *confession* of Nicholas Hubert, or *French Paris*. These the author has now critically examined, and brought under the eye of the public.

He has likewise brought together in a collective view the direct or positive evidence, still on record, tending to show what part the Earls of Murray, and Morton, and Secretary Lethington, had in the murder of the Lord Darnley. This part naturally leads into a history of the whole facts which serve to throw light upon that dark affair; and to an examination of the histories of Dr Robertson and Mr Hume, in so far as they relate to these facts.

In treating this subject, as the author disdains the name of a party-writer, he is conscious of no design to mislead the reader. He has asserted nothing without giving good authority; he generally quotes the very words of the records, and leaves
the

the reader to give his own judgment. If he has differed, either in point of fact or argument, from any of the latest writers on this subject, he has given his reasons; and hopes he has done so with that deference which is due to the public, and with that temper and good manners which every gentleman has a right to expect. In the course of argument, it is scarce possible for one who thinks he has conviction on his side, to remain at all times cool and unconcerned. If, in some passages, he may have exceeded the moderation of a critic, he did not mean to offend, and hopes that he will not often stand in need of an indulgence on that account.

Almost two centuries have passed since the time of the transactions which gave rise to this dispute; and however the partisans of those times might have been inflamed in their controversy, the author sees no good reason, at this day, for keeping up that ill humour. He looks upon this subject as one of those dark and intricate parts of history that have occurred in the annals of every nation.

It

It is, perhaps, of no great moment, at this day, to find out whether the accusation brought by Philip the Fair of France, against the Knights Templars, was truly just, or altogether false and political, in order, by their extirpation, to seize upon the immense revenues of that rich community: Or whether the person who appeared in different places, after the defeat of Don Sebastian King of Portugal, in Afric, and was imprisoned and put to death by the King of Spain, then in possession of his dominions, was an impostor, or the identical King of Portugal. Such dark passages in history have exercised the pens of the learned, the curious, and the inquisitive, in every age. As such the author considered the present subject, and as such has treated it, with no other view, than that of discovering the truth, by endeavouring to elucidate a piece of history, in itself important and interesting. At the same time, for the honour of the sex, what generous breast would not endeavour, if in his power, to rescue an unfortunate and distressed princess, from a load of infamy that has been thrown upon her? Who can even read Dr Robertson's history of the ill-

fated Queen Mary, without wishing to find her innocent?

The author's first intention was to study brevity; on which plan, it may be said, his work might have been more concise and contracted: But when the subject is considered to be an examination of writings, and a critical discussion of the several arguments of different authors founded upon these writings, he hopes there will appear good reason for his chusing rather to be explicit than short, and full rather than obscure.

He is very sensible of the imperfections attending his work, and of the indulgence of the public in their favourable reception of the first impression of it. He has by a revival of the former edition, retrenched what he thought was superfluous, and availed himself of several observations of his friends, in making very considerable additions in the present. His greatest difficulty through the whole has been, to trace out the avenues that lead to truth, and to clear away the rubbish of two centuries, which obscured and choked them up.

*Clara——præpandere lumina menti,
Res quibus occultas penitus convifere possis.*

LUCRETIVS.

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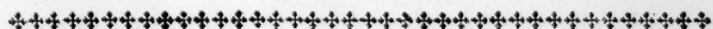
A N



A N
I N Q U I R Y

Into the EVIDENCE against

MARY QUEEN of SCOTS.



C H A P. I.

*The history of the Letters said to have been
written by Queen Mary to the Earl of
Bothwell.*

THE letters said to have been
written by Mary Queen of Scots
to the Earl of Bothwell, have
been the subject of much dis-
pute among the writers of the history
of those times. Much virulence and in-
vective have been thrown out from both
sides ; at the same time that the bulk
of the arguments used by either party has
been rather conjectural than founded upon
A facts.

facts. The adversaries of that princess have always regarded these letters as an invincible proof of her knowledge and participation of the crimes laid to her charge. And indeed, allowing them to have been genuine, there is no resisting the force of such a conclusion. It is my design, by tracing the history of those letters from their very first appearance, to detach them from that confused heap of rubbish under which they have artfully been buried; to produce them into light, stript of their false colouring; and, by coolly and dispassionately considering the arguments on both sides of the question, to endeavour to investigate the truth.

THE way and manner in which these letters came into the possession of the Queen's enemies, is conveyed to us by a Memorandum, published along with Buchanan's *Detection* *, in these words:

“ M E M O R A N D U M .

“ That in the castell of Edinburgh thair
“ was left be the Erle of Bothwell, before

* *Detection* here means a work published by Buchanan, intitled, “ *Detection of the coings of Mary;*” Anderson, vol. 2. p. 92.

“ his

" his fleeing away, and was send for be
 " ane George Dalgleith, his servand, who
 " was taken be the Erle of Mortoun, ane
 " small gylt coffer, not fully ane fute lang,
 " garnisht in findrie places with the Ro-
 " man letter F under ane King's crowne;
 " wharin were certane letteris and writings
 " weel knawin, and be aithis to be affirmit
 " to have been written with the Quene of
 " Scottis awin hand to the Erle."

The letters said to have been contained
 in this box were eight in number, all writ-
 ten in French. And besides these, there
 were some love-sonnets, also in French, and
 a promise of marriage by the Queen to
 Bothwell.

Upon this short account given of the
 manner in which the letters came to light,
 it may not be improper in this place to
 make a few observations.

1. As the matter contained in the letters,
 in plain words, acknowledges a criminal
 intercourse between the Queen and Both-
 well, and likewise gives pretty plain hints
 of a design to murder the King, it is most
 amazing to think how such strong and pal-
 pable evidence, against herself, could be
 committed by her to writing.

2. It is no less astonishing, that Bothwell, to whom the letters are supposed to have been addressed, should have kept such evidence against himself one moment in his hands without destroying them, as no good reason can possibly be assigned for his preserving them.

But these are only presumptions, which cannot destroy facts. Letters are discovered and produced. It seems, however, to be an established maxim, founded on common sense, as well as equity, that if any man, by the discovery of a writing or deed, pretends to strip another of his property, the pretender must not only prove the authenticity, but likewise give some reasonable account how such writing fell into his hands.

To apply this to the present question : From the letters themselves, the presumption seems to stand in favour of the Queen ; that neither she, nor indeed any woman of common prudence or modesty, could have written them. As therefore they were produced by the Earl of Morton as his discovery, in the manner before recited, it becomes necessary to examine every circumstance
that

that relates to this discovery ; which may be done in a few words.

On the 15th of June 1567, the Queen having left Bothwell, delivered herself into the hands of Morton and the Lords of his party, who sent her prisoner to the castle of Lochleven.

On the 20th June 1567, George Dalgleish, Bothwell's servant, was seized, and, in his custody, it is alledged, were found the above mentioned box and writings. Six days after, he is examined before Morton, Athole, and Grange, Lords of the secret council. A copy of his examination and deposition, said to be taken from the original in the books of justiciary, attested by Sir John Ballendane justice-clerk, is handed down to us. This remarkable particular naturally occurs to be observed in it, that it was surely of great importance for Morton, who then had the box in his custody, and, as the record bears, was present at Dalgleish's examination, to have confronted him with the persons who apprehended him ; and to have asked him some questions relating to this box ; such as, Whether or not this box was in Dalgleish's custody when he was seized ? What orders
he

he received from his master, Bothwell, concerning the box? Who delivered it to him? or, Where he found it? Whether open or locked? If open, what it contained? and where he was to have carried it? — Dalglish, and the persons who seized him, in a matter so recent, only six days before, could have given distinct answers to those questions. However, in the whole of his examination and deposition, there is not a word mentioned of the box. This man, together with Hepburn, Hay, and Pourie, Bothwell's servants, was tried and condemned at Edinburgh as accessory to the King's murder. Dalglish however was not hanged till the 3d of January 1568, six months after his condemnation. For what reason this respite was given, we are left to conjecture.

The first appearance of the letters themselves, is in an act of Murray's secret council, dated the 4th December 1567, in which it is said, That their rising in arms against the Queen, taking her prisoner, and detaining her person in Lochleven, "was in the said Queen's awin default, in as far as, "be diverse her previe letters, WRITTEN
" AND

“ AND SUBSCRIVIT *with her awin hand* *,
 “ and fend by her to James Erle of Both-
 “ well, chief executer of the horrible
 “ murder, [of the King], as well before
 “ the committing as after, and be hir un-
 “ godly proceeding in a private marriage
 “ with him suddenly thareafter, it is most
 “ certane that she was previe, art and part,
 “ of the murder of the King.” This act
 is subscribed by the Earls of Murray, Mor-
 ton, and others of that party, the Lords of
 the secreet council, a title they took to
 themselves immediately on their imprison-
 ing the Queen.

Upon the 15th day of December, ten
 days after the above act of secreet council,
 the Earl of Murray's first parliament met,
 where an act is passed concerning the
 Queen's detention, which is almost a tran-
 script of the above act of their secreet coun-
 cil, justifying the Queen's imprisonment
 from “ her awin default, in sa far as be
 “ divers her previe letters, WRITTEN
 “ HALELIE [*i. e.* wholly] *with her awin*
 “ *hand* †, and fend be her to James Earl of

* Goodall, vol. 2. p. 64.

† Anderson, vol. 2. p. 221.; Goodall, vol. 2. p. 67.

“ Bothwell,

“ Bothwell, &c. it is certain she was privy,
 “ art and part, of the King’s murder.”

Upon comparing the words of these two acts together relating to the letters, it is plain, that an ugly jarring betwixt them appears ; the act of secret council asserting the letters to be “ *written and subscrivit* with “ the Queen’s awin hand ;” whereas the act of parliament declares them only to be “ *written halelie* with her awin hand.” From whence could so strange a discordance arise in two such solemn deeds, and in so very material a point ?

The only person who has attempted to explain this jarring betwixt the two records, is the learned Mr Hume. As his remark is singular, I chuse to cite his own words *. In the notes, after mentioning the objection arising from the discordance of the two records, he says, “ *But it is not considered that this circumstance is of no manner of force.* There were certainly letters, true “ or false, laid before the council ; and “ whether the letters were true or false, this “ mistake proceeds equally from the inaccuracy or blunder of the clerk. The mis-

* Hume’s history of England under the house of Tudor, 4^o edit. vol. 2. p. 500.

“ take

“ take is easily accounted for: The letters
“ were only *wrote* by her, the second con-
“ tract with Bothwell was only *subscribed*.
“ A proper accurate description was not
“ made, and they are all said to be *wrote*
“ *and subscribed.*”

The proper reply to be made to this solution of the above difficulty, is only to desire the reader to compare the words in the two records before cited. The express words are, *The previe letteris written and sent by the Queen to James Erle of Bothwell*. I scarce think that Mr Hume will persuade any man, notwithstanding the precision in which he gives judgment, that these words can be applied to a contract, which can neither be said to have been written nor sent by the Queen to Bothwell, or indeed to any other writings whatever but the letters. Far less could this jarring happen in the words of the two records from any mistake or inaccuracy of a clerk. He must be credulous indeed, who can believe, that, in so important a matter, the wise heads of Murray, Morton, and Secretary Lethington, would have trusted the compiling of these two acts to a blundering clerk, or have let such an obvious blunder escape

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them.

them. And when it is considered, that the word *halelie* is additional in the act of parliament, and is professedly substituted in the place of the words *and subscrivit*, there can remain no doubt that this variation was owing to no inadvertency in the compiler, but to a deliberate correction.

If the letters, first produced by Murray and Morton in their secret council, were signed by the Queen, certain it is, that the letters produced before the parliament had no subscription, but were only asserted to be *halelie*, or wholly written by the Queen's own hand. If these letters are genuine, I own I cannot see how so strange a discordance can be accounted for. If we suppose them spurious and forged, a reason I think for this variation may be given. It is justly remarked by the learned Dr Robertson, That when a paper is forged with a particular intention, the eagerness of the forger always prompts him to avoid all doubts or uncertainties, and to be as explicit as possible *. It is probable that the operators, in their first copies of these let-

* Dissertation at the end of his 2d volume, edit. 1. in 4^o, p. 20.

— I shall often in the course of this work have occasion to illustrate the truth of this sensible observation.

ters,

ters, would take care to be very explicit and full, both as to the matter and contents of their manufacture, and likewise as to the form they were to appear in. Lessly Bishop of Ross, in his defence *, asserts it as a thing well known, that there were persons about the court who could counterfeit the Queen's hand-writing, and that in fact several letters had been forged in her name, and sent to England. This is also asserted by the Queen herself, in her instructions to her commissioners at York †. The ardor of the forgers, to make the letters to Bothwell fully conclusive against the Queen, might very naturally prompt them at first

* “ — As though it is not notoriously known throughout the
 “ worlde, that ye are her most mortal enemies ; as though these
 “ counterfeit letters were not the underpropped postes and uphold-
 “ ers of your whole treachery and usurped kingdome ; as though
 “ that many in Scotlande could not expresse, and resemble, and
 “ counterfeit in their writings, the Queene's very character ;
 “ and as though there were not among yourselves some singular
 “ artificer in this handy-craft, and that hath sent letters also in
 “ her very name, aswel into Englande, as to other places by-
 “ sides, without either her commaundement, or knowledge.
 “ How can I choose then, but say, that this deede is your shame-
 “ ful handy-craft, and not her hand-writing ? Yea surely, al this
 “ is your owne fained forging, and most vile counterfeiting ;”
 Anderson, vol. 1. p. 20.

† See pages 14. 15. of this Inquiry.

to affix her subscription to them; and in this shape they were asserted by Murray, Morton, and others, before their own secret council, to be *written and subscrivit with her awin hand*. But after these cunning politicians came to consider deliberately, that "those horrible letters" (to cite the opinion of the English commissioners in their own words) " * conteynit such " foule matteir, and abominable to be either thought of or written by a prince," upon cool reflection †, that it might shock the credulity of many people to believe, that the Queen could not only be so wicked as to write such letters, but even so far deprived of common sense, as to put her name to them; they might very naturally, in the copies they produced before the parliament, sink the subscription, and, in place of mentioning the letters to be *written and subscrivit* by the Queen, substitute the words *halelie with her awin hand*. In which form they ever afterwards appeared. How far this will account for the different dress in the very first appearance of the letters, from

* Anderson, vol. 4. p. 62.

† We shall see afterwards a palpable instance where the same ardor was on reflection repressed on a similar occasion.

that

that in which they afterwards were exhibited to the public, I leave to the reader to determine. I proceed to the history of the letters.

The next appearance the letters made was at York, in October 1568, at a conference betwixt Lesly Bishop of Ross, the Lords Livingston, Boyd, Herries, &c. on the part of Queen Mary; and the Earls of Murray, Morton, Secretary Lethington, and George Buchanan, on the other side, before the Duke of Norfolk, Earl of Suffex, and Sir Ralph Sadler, as commissioners for the Queen of England. There it appears, by a letter signed by these last, that the letters, and other evidences against the Queen, were produced and shewn to them by Lethington, Buchanan, and Mackgill, "privately, and in a secret conference; not as commissioners, as they protested, but for their (the English commissioners) better instruction, after declaration of such circumstances as led and induced to vehement presumption to judge the Queen guilty of the King's murder *."

* A letter to Queen Elisabeth from her commissioners at York, the 11th of October 1568; Cot. lib.; Goodall, vol. 2. p. 140.

It is apparent, from this private and secret conference concerning the letters, and the precaution of Lethington and Buchanan being employed to shew and explain these letters to the Duke of Norfolk and Earl of Suffex, not as commissioners, that Murray and his party, though by this underhand way they defamed the Queen, were at great pains to conceal their secret practices from her commissioners, who at that time had orders from Mary, and were instructed to call for the evidences of their charge. This appears from the articles and instructions given by the Queen to her commissioners. The Queen had heard a surmise of letters said to be written by her. In the seventh article of her instructions to her commissioners she thus charges them:

“ In cais thay alledge thay have ony writingis of mine, quhilk may infer presumptioun againis me, in that cais ze fall desyre the principallis to be producit, and that I myself may have inspectioun thair of, *and mak answer thairto*. For ze fall affirm, in my name, I never writ ony thing concerning that matteir to ony creature: And gif ony sic writingis be, thay ar falsse and feinzeit, forgit and inventit
“ be

“ be thamefelfis, onlie to my dishonour
 “ and sclander: And thair ar divers in
 “ Scotlande, baith men and women, that
 “ can counterfeit my hand-writing, and
 “ write the like maner of writing quhilk I
 “ use, as weil as myself, and principallie sic
 “ as ar in cumpanie with thamefelfis *.”

A cotemporary author has informed us, that this had been done by Maitland her secretary: “ It was notourly known (says “ this author) that Lethington had often “ counterfeited the Queen’s hand †.” But to proceed :

The letters having been thus shewn in private to the English commissioners, and the contents fully explained to them by Lethington and Buchanan, a most minute abstract of their whole contents is transmitted to Queen Elifabeth, which is still extant ‡. I am not fond of reflections: in this place, however, I cannot help taking notice, that this underhand dealing of the Scotch commissioners, in defaming their soveraign, while at the same time they,

* Cot. lib. Goodall, vol. 2. p. 342.

† Crawford’s Memoirs, p. 100.

‡ Cot. lib. Goodall, vol. 2. p. 148.

with

with the utmost anxiety, concealed their evidences from her, has too much the air of assassination.

Dr Robertson, in this part of his history, takes no notice either of the above private conference, and exposition of the letters to the English commissioners, or of the Queen's instructions, asserting the forgery, and desiring inspection of those letters.

Queen Elisabeth and her ministers having adjourned the conferences, betwixt Mary and her subjects, to Westminster, the Earl of Murray and his party, on their arrival, were introduced to, and graciously received by Elisabeth; and any scruples they had, or delicacy, with respect to their accusing Mary, being soon removed, they gave in their charge or libel on the 26th November 1568, publicly accusing her of being in the foreknowledge of, and participant with Bothwell in the murder of her husband.

I do not mean to enter into a minute detail of the procedure of the parties at those several conferences; let it be remembered always, that my plan at present confines me to touch only upon what regards the letters.

Mary,

Mary, being informed of the accusation thus publicly made against her, instructed her commissioners, 3d December 1568, to present a demand in her name, That as Elifabeth had given admittance, both in private and public, to her accusers, she * likewise might be “permitted to cum in
 “proper person to hir Majesties awin presence and of hir nobilitie, and in the
 “presence also of the haill ambassadouris of other cuntreys, then resident within
 “hir Hienes realme, to declare hir innocence, and to mak hir Majestie and
 “thayme understand the untrew invented calumnies of hir saidis rebellis, for the
 “better defence of hir Gracis honor, satisfactione of hir Hienes, and all other Christiane princes and guide subjectis quhatsoever. And also sen the said rebellis
 “has taken upon them unjustly and boldly to accuse thair native soveraign, desyris
 “also that thay may be stayed and arrested by your Majesty’s authority, to answer
 “upon sic heinous attemptats as fall be laid to thair charge †.”

Mary’s

* Anderson, vol. 4. p. 160.; Goodall, vol. 2. p. 220.

† Dr Robertson seems to lay greater stress than it deserves on
 C the

Mary's commissioners having presented this supplication in their mistress's name, Elifabeth refused to grant the desire of it ; and, at the same time, declared to the commissioners, that she would receive proof from Murray and Morton of the verity of their accusation. Upon which Mary's commissioners remonstrated against this procedure, " as a preposterous order, never used
 " in any treaty or conference, yea, not e-
 " ven in cases of judicial procedure, to re-
 " ceive probation before the party was
 " heard to answer to the alledgeance, and
 " especially in so weighty a cause: They

the overture made by the Bishop of Ross and Lord Herries, at this time, for an accommodation with Murray and Morton, after they had accused the Queen. It is proper to observe, however, that this proposal " came not from the Queen since the accusation
 " had been given in by the Earl of Murray." So Ross and Her-
 " ries declare, Goodall, vol 2. p. 226. And Mary scarce had time, from the 29th November to the 4th of December, to have got a copy of the accusation sent her from Westminster to Bolton in Lancashire, and to have sent any return concerning it to her commissioners. They declare the proposal came from themselves, and not from the Queen ; and we have no reason to disbelieve them. However ill-timed this motion was, and it must be owned it was so ; yet it seems too harsh to infer any presumption against the Queen, from a proposal made without her knowledge ; when it is considered likewise that the accusers had then produced no part of their proof.

" therefore

“ therefore protested, that no further should
 “ be proceeded in this conference *.”

Notwithstanding this remonstrance, as Elifabeth’s sole bent was to have the accusation fixed on Mary, she, at the very same meeting, called upon Murray and Morton, who directly put into the hands of the English commissioners the box with the letters and French sonnets said to be written by the Queen. They also produced a copy of the Earl of Bothwell’s trial, with the examinations and confessions of Hay, Hepburn, Pourie, and Dalglish, servants of Bothwell; who, although they all charge

* Goodall, vol. 2. p. 229.

Mr Hume is of opinion, that by this procedure of Elifabeth, in respect to Mary’s request, the former showed no signs of partiality. His reasons are, because, “ although she had granted an audience
 “ to the Earl of Murray and his colleagues, she had previously
 “ conferred the same honour on Mary’s commissioners, and her
 “ conduct was so far entirely equal to both parties;” vol. 2. p. 496.

Dr Robertson, on this point, argues in a very different manner: “ Mary” (says he, vol. 1. p. 413.) “ justly considered this as
 “ an open declaration of Elifabeth’s partiality towards her adversaries.— Her rebellious subjects were allowed access to the
 “ Queen; she was excluded from her presence: they enjoyed full
 “ liberty; she languished under a long imprisonment,” remote from the place of trial: “ they were encouraged to accuse her; in defending herself she laboured under every disadvantage.” Add to these, that probation was received *before she was allowed to answer* to the accusation.

their master, yet none of them pretends to asperse the Queen in the least with any accession to the King's murder *. And it is proved beyond doubt, that all of them, at their death, publicly absolved the Queen from it. So that setting the letters aside, there is no other evidence which Murray and Morton could produce against the Queen †.

* *Vide* their judicial confessions taken from the records of the high court of Justiciary; Anderson, vol. 2. p. 165. et seqq. Also, Affirmation of the Peers of Scotland asserting this fact; Goodall, vol. 2. p. 359.

† Here it is to be particularly remarked, that the only apology made by Murray's secret council, for rising in rebellion against their sovereign, for imprisoning her in Lochleven, and for all future acts of violence intended against her, "was" (to use their own words) "in the said Queene's awin default, in as far as be
" divers hir previe letteris, written and subserivit with her awin
" hand, and send be hir to James Erle of Beithwell,— it is
" most certane that she was previe, art and part, of the actual
" devise and deid of the murther of the King;" See Goodall, vol. 2. p. 64. That is, they rose in rebellion against the Queen in the month of May; they made her prisoner at Carberry hill on the 15th of June; and confined her next day in Lochleven; the letters were not discovered until the 20th of June; and on the 4th of December the same year, Murray's only pretence to justify the rebellion in May, was the letters found on the 20th of June following: so that here the pretended inducement was posterior to the crime; which leaves the strongest presumption, that these letters were fabricated to serve their purpose.

In

In support of them, Morton himself, the Queen's accuser, affirmed he got the box with those writings from Dalgleish in the manner above mentioned: and one Crawford, (a dependent on the Earl of Lennox, another accuser of the Queen), the person mentioned in the first letter as sent by Lennox to meet Mary in her road to Glasgow, gave testimony to the verity of that occurrence, and some other such incidents mentioned in one of the letters. These, whether true or false, seem to be of no consequence; for this plain reason, that whoever did write the letters, would take care to inform themselves of every incident that happened in Mary's company when she was at Glasgow, at the time she is supposed to have written these letters to Bothwell; and they could not have applied to a better hand for their information, than to this servant of Lennox, or even to Lennox himself, who, no body will doubt, were both very ready to give all the information in their power against Queen Mary. The box and letters *per se*, then, with Morton's single affirmation of the manner in which they came into his possession, are the

the only evidences against the Queen which were produced at the conferences.

The defect of having some other impartial and unsuspected witnesses to have concurred with Morton as to the discovery and seizure of the box and letters, and his remarkable shyness in interrogating Dalgleish on this point, have already been observed. But it perhaps will be said, that at the time of Dalgleish's trial, this was an oversight which escaped even the sagacity and penetrating genius of Morton, and the whole party. The man was hanged *, and he cannot now be called from the grave to answer questions. It is to be observed, however, that, at this very time, they had in their custody a very material and living evidence who had a part in the letters. The second letter mentions by name, one Paris, or Nicholas Hubert, a Frenchman, servant of Bothwell, who, it is said, was the person intrusted to carry the letters from the Queen to Bothwell. This man had been kept in close confinement in St Andrew's †

* Not in a hurry however, being, as we have shown, respited for above six months after his confession.

† Keith, p. 366.

during

during all this time. Now, when one sees the remarkable care and attention of the party in collecting every circumstance which they supposed could be matter of proof against the Queen in support of their accusation, their penury of proof notwithstanding, and the pinching necessity of supporting the only evidence they had (that of the letters) by the bare and single affirmation of Morton himself, the Queen's accuser, and most inveterate enemy; it is impossible to overlook, without the strongest suspicion, their omitting to have produced so very material an evidence as this Frenchman, in person, to have answered to the questions of Mary or her commissioners before the English council, and to the part assigned to him in the letters themselves.

Mr Hume, who has omitted nothing that he thought was evidence against the Queen, has been very sensible of this defect of Murray's, in not calling upon Paris; and he endeavours to supply it in a pretty extraordinary manner. "On giving in the letters" (says he) "Murray fortified this evidence by some testimonies of corresponding facts; and he added, some time after, the dying confession of Hupert,

“ bert, or French Paris, a servant of Both-
 “ well, who had been executed for the
 “ King’s murder, and who directly char-
 “ ged the Queen with her being accessory
 “ to that criminal enterprife *.” From this
 account, Mr Hume would make one be-
 lieve, that Paris’s confession had been given
 in by Murray within a few days after the
 letters, at least whilst the conferences sub-
 sisted. But that is not fact. The con-
 ferences broke up, and the Earl of Murray
 and his party got liberty from Queen Eli-
 sabeth to return home to Scotland in Janu-
 ary 1568-9. Paris, after lying in close pri-
 son till August 1569, was then put to
 death ; at which time it is pretended he
 made these confessions against the Queen.
 But I shall hereafter have occasion more
 particularly to examine this pretended con-
 fession by itself.

Upon so visible a partiality of Elisabeth,
 it is no easy matter to say what course would
 have been most proper for Mary to have
 steered. Being denied that privilege which
 the greatest of criminals have always been
 allowed in every civilized nation, that of

* Hume, vol. 2. p. 497.

being heard personally in her own defence, and confronted with her accusers, she had ordered her commissioners to break off all further conference, before judges already so determined against her. Dr Robertson is of opinion, that, had she rested there, it was the most prudent part she could have acted. Let it be considered, however, that her enemies had, at this time, not only accused her publicly of being privy and accessory to the King's murder, but had, in compliance with Elisabeth's order, produced their proof, the box with the letters, and Morton and Crawford's parole evidence to strengthen them. This was the consummation of Elisabeth's utmost wishes. It behoved Mary, on the other hand, clearly to see the inferences that might be drawn to her prejudice from this step which she had been provoked to take. By declining the combat, she yielded the victory to her enemies, and left them in the clear possession of the field. They had not only accused her, they had likewise produced what they asserted did amount to a full conviction of her guilt, no less than letters written by her own hand to Bothwell, the perpetrator of the murder. On these considera-

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tions she writes a letter to her commissioners 19th December 1568, retorting the accusation on Murray; adding, "And to the effect our guid sifter may understand we are not willing to lat thair false inventit allegeances pass over with silence, adhering to zour former protestatiounis, ze fall desire the *inspectioun* and *doubillis* of all thay haif producit againis us; and that we may *se the alledgit principal writings*, gif thay haif ony, producit; and with God's grace we fall mak sic answer thairto, that our innocence fall be knawin to our guid sifter, and to all utheris principes *."

In

* Cot. lib. Goodall, vol. 2. p. 289.

It is to be observed, that Anderson, who pretends to have given a full account, and extracts, of the whole procedure before the English commissioners and council, "from the time the Queen escaped from Lochleven until the conferences at York, Westminster, and Hampton-court were ended," vol. 4. preface, p. 8. has thought proper to suppress the above letter of Queen Mary to her commissioners, their remonstrance in consequence, desiring inspection and copies of the letters, and their mistress's resolution to answer the same. And he makes no mention of any further procedure in the matter after the council of the 16th December 1567; Anderson, vol. 4. p. 182. though they were continued, and frequent, to the 2d February 1568; Goodall, vol. 2. p. 323. Such a manifest imposition in this compiler, who must have seen every one of those papers in the Cotton library and paper-

In consequence of this letter Mary's commissioners repaired, on the 25th day of December 1568, to the presence of Queen Elisabeth and her council, where they produced the letter and instructions from their mistress, which they read before her Majesty, and repeated the request to see and inspect the principal writings produced against their sovereign, and to have doubles of them. To this Elisabeth's answer was, — "*Quhilk desire her Majesty thocht very reasonabill*, and declared hir to be very glaid that her guid sister wald mak answer in that manner for defence of hir honour; and to the effect hir Majesty might be the better advyfit upon thair desyris, and give answer thairto, desyrit ane extract of the said writing to be given to hir Hieness, whilk the said commissioners did on the morn deliver *."

It must be remembered always, that the accusation itself against the Queen was in general terms, affirming, "That as the

paper-office, in the same books from which he has extracted the papers he has been pleased to give us, is too glaring an instance of this gentleman's partiality to be passed over in silence. Mr Hume has followed Anderson's example.

* Cot. lib. Goodall, vol. 2. p. 282.

“ Earl of Bothwell was the perpetrator of
 “ the murder, so was she of the foreknow-
 “ ledge, counsel, and device thereof.” To
 which the Queen, by many letters from
 her confinement, and likewise her commif-
 sioners in her name, had given answers,
 denying the accusation, and endeavouring
 to shew the improbability of it, and that
 Murray and Morton were themselves the
 authors of that murder. So far the accu-
 sations on both sides were seemingly equal.
 But Murray had, in support of his charge,
 produced certain writings, letters, as he af-
 firmed, written by her own hand to the Earl
 of Bothwell, which to appearance proved her
 to have been in the foreknowledge of the
 King’s murder. What answer, if innocent,
 could she make to this? This only one,
 surely, which she did make, That those
 letters were forged. She went further; she
 asserted, that her accusers themselves were
 the forgers; and for this good reason, That
 it was a fact well known, that some of
 them could well counterfeit her hand-wri-
 ting, and had been in the practice of so
 doing. She therefore requested to have in-
 spection of the principal letters themselves,
 and also to have full copies of them deli-
 vered

vered to her; from which she asserted, that she would make the forgery of those pretended letters, and her own innocence, clearly appear.

In the Queen's situation, let me ask the most prejudiced against her, could she have made a more proper answer? Suppose a man was to swear a debt against me, and offered to prove it by bond or bill of my own hand-writing; if I knew this bond to be a false writing, what would be my defence? Show me the bond itself, and I will prove it a forgery. If he withdrew the bond, and refused to let me see it, what would be the presumption? Surely that the bond was forged, and that the user was himself the forger.

The case is precisely similar to the point in hand. The Queen, we have seen, repeatedly demands to see the principal writings themselves, which she asserts are forged. Elizabeth herself says, the demand is most reasonable. What follows? Is this reasonable demand of Mary's complied with? Far from it; we shall see, that, so far from seeing or having inspection of the originals, that even copies of them are refused to her and her commissioners.

On

On the 7th day of January 1569, Lord Herries and the Bishop of Ross, in consequence of another letter from Queen Mary, which they produced, “ passed to the presence of the Quene’s Majestie of Ingland, “ hir Hienes’s counfall being als wa present, “ and declarit that they had presently refayit writings fra the Quene’s Majestie of Scotland thair soveraigne, be the whilk “ *thay were of new commandit* to signifie unto hir Majestie, that she wald answer to “ the calumnious accusation of hir subjects, “ and als wa wald accuse tham as principall “ authoris, inventaris, and executoris of “ that deed for the quhilk she was falselie “ accusit be thame, conform to the writings presentit of before in her name; “ and thairfore desirrit the writings produced be hir inobedient subjects, *or at the least the copies thair of*, to be deliveret unto thame, that thair maistress might fullie answer thairto, as was desyrit.”

“ And the Quene’s Majestie of Ingland “ tuik to be advysit thairwith, and promised to give answer within two or three “ days *.”

* Cot. lib. Goodall, vol. 2. p. 297.

One may easily imagine, that if Queen Elifabeth had truly any intention that a fair trial and inspection of the letters should be made, and to hear if any objections could be raised against them, there could be no reason for hesitating one minute on Mary's repeated supplication for a sight of them, or, at the least, to have copies of them delivered to her, without which it was impossible for her, or any person alive, to make a proper answer, or to detect the forgery. But this was the very opposite of Elifabeth's scheme and intention, to give way to a scrutiny of such precious materials, the darling instruments of her resentment against Mary, which perhaps might ~~invali-~~date those proofs, and blow them in the air; the consequence of which, as it would have been a most convincing proof of Mary's innocence, must necessarily have been a clear conviction, at the same time, of Murray and Morton's guilt. Elifabeth was therefore fully determined not to give ear to those demands. The shift she made use of to avoid this pinching question, shows her perplexity: In place of answering Mary's request to see the letters, Elifabeth immediately after makes the following proposal

posal to Mary's commissioners, 7th January 1568, "That it were best *some appointment* shuld be made between the Quene of Scotland, hir guid sifter, and hir subjectis ; and to the effect the said Quene may live in suretie in tyme cuming, and because it hes bein thought that scho mislykit hir subjectis, throw thair evill behaviour toward hir, and thay mislyke also hir government ; it semit thairfoir maist meit and convenient, that scho, as being wea-rie of that realme, and government thair- of, shuld zield up the crown, and government thairof, and demit the famin in favouris of hir sone the prince ; — and scho in the mean time to remain in this realme of Ingland privatlie, and so the country shuld be at ane quyetness *."

It will be remembered, that when Mary's commissioners had of themselves, without any authority from her, and before Murray had produced the box and letters, proposed an accommodation between the parties, then Elisabeth had told them, That after such accusation, she thought it inconsistent with her sifter Mary's honour

* Cor. lib. ; Goodall, vol. 2. p. 309.

and innocence to have the matter ended by *appointment* *. The reason for Elifabeth's altering her note at this period is extremely obvious.

The answer made by Mary to this proposal of Elifabeth's, was such as a high-born spirit, conscious of innocence and oppression, could only have dictated: "I am determined rather to die, than submit to such a measure; and the last words of my life shall be as Queen of Scotland †."

The firm tone in which Mary expressed herself at this time, and her whole behaviour, shows, that she sufficiently understood Elifabeth's scheme, and that impartiality was not to be expected from her. She was determined, notwithstanding, to vindicate her innocence; and at the same time to prove, that Murray, Morton, and Lethington, whom she had already publicly accused, were themselves the devisers, and some of them the perpetrators of the King's murder.

Either of these points was inconsistent

* Cot. lib.; Goodall, vol 2. p. 225.

† *Je suis resoluë et deliberée plusloft mourir, que de faire; et la dernière parole que je ferai en ma vie, sera d'une Royne d'Escoffe.*; Paper office; Goodall, p. 2. p. 301.

with Elifabeth's plan: She had spirited on Murray and his associates, publicly to charge their fovereign as a murderers and adulterers. She had the address to get into her hands what, they alledged, amounted to a proof of their charge. Whether these were true or not, the world would always believe them to be so, provided they were not exposed, and found to be spurious. It was therefore high time now to dismiss Murray and his party, to avoid any discussion of their evidence, and likewise to baffle the attack made against themselves.

Upon the 11th of January 1569, the commissioners on both sides were brought to meet in presence of the English council, where Secretary Cecil, in Elifabeth's name, "declarit that the Erles of Murray, Morton, and thair adherentis, wer licencit be the Quene's Majestie to depart into Scotland. And because it was bruitit and sklaunderit that thay wer participant of the murthour of the Quene's husband,—thay desirit to knaw quether thay wald accuse thame in the Quene's name, or in thair awin names *."

The

* Cot. lib.; Goodall, vol. 2. p. 507.

The answer made by the Queen's commissioners to this, was, That by a special command of their soveraign, "by her letteris under hir signet,—thay wer expresselie
 "commandit to accuse the Erle of Murray,
 "and utheris his adherentis, to be principal
 "authouris, inventaris, doaris, and sum of
 "thame proper exequutouris of the murder.
 "Conform to the quhilk letteris,
 "thay had alreadie publictly gevin in
 "thair accusatioun in write, and offerit
 "thame constantlie to abide thairat, in
 "thair mistres's name; and had offered

Devices of this sort have often, with success, been practised, to save appearances, and to conceal inquiries from the public view, which were not so convenient to be laid open. Thus, to give an instance from Modern History, in the year 1734, when a petition was presented to the house of Peers by the Dukes of Hamilton, Queensberry, Montrose, and many other Scotch Peers, complaining of undue practices, and acts of bribery and corruption, used in bringing about the election of the sixteen Scotch Peers to sit in parliament the preceding year; and praying, That an inquiry should be made into the facts complained of; the method used on that occasion, to stifle so dangerous an inquiry into those dark scenes of iniquity, was an order of the house, That before any inquiry should be made, the petitioners should give in, in writing, the particular instances of the illegal practices complained of, and likewise *the names of the persons* by whom such practices were used: That is, that they should directly accuse some of the highest persons then in power. The inquiry in consequence was dropped. *Vide* the protests of the house of Lords, February 1734.

“ alſwa to defend her innocencie, and to an-
 “ ſwer to all the calumnies alledgit or pro-
 “ ducit againis hir, ſwa being that ſcho
 “ might have the copies of the pretendit
 “ writtingis gevin in, publictlie or privat-
 “ lie, againis the Quene thair maiſtres ;
 “ quhilkis thay have divers tymes requirit
 “ of the Quene’s Maieſtie, and hir counſal,
 “ ſuppois thay have not as zit obtenit the
 “ ſamen : And *how ſone* that thay reſſavit
 “ the copies thairof, ſcho wald anſwer
 “ thairto, in defence of hir innocencie, and
 “ alſwa particularlie nominat and accuſe
 “ ſuch perſonis, being preſent of thair cum-
 “ panie, as wer guiltie of that murthour ;
 “ and wald verifie and pruiſ the ſamin ſuf-
 “ ficientlie *.”

This firmneſs in Queen Mary’s miniſters,
 in inſiſting even to have copies of the
 writings, and in abiding by their accuſa-
 tion of Murray and Morton, was moſt irk-
 ſome to Elifabeth : We ſhall ſee ſhe imme-
 diately took a moſt effectual way to cut
 through this troubleſome affair.

The very next day, “ Upon the 12th
 “ day of January 1568-9, the Erle of Mur-

* Cot. lib. ; Goodall, vol. 2. p. 308.

“ ray, and all his adherentis, came to the
 “ presence of the Quene’s Majestie of Ing-
 “ land, and gat licence to depart into Scot-
 “ land *.”

This step was very well judged. By dismissing these gentlemen with their box and writings †, it deprived *for ever* the Queen or her friends of seeing the originals. And now, as to giving copies of them, a new device is tried in order to elude even that: On the 13th of January, the Bishop of Ross and Lord Herries are called to court, and acquainted by Cecil ‡, “ That hir Majestie, Quene Elifabeth,
 “ will not refuis unto the Quene, hir guid
 “ sifter, to give the dowbillis of all that was
 “ product; ” — but with this certification,
 “ that scho will have a special writing sent
 “ be the Quene of Scottis, signet with hir
 “ awin hand, promising that scho will an-
 “ swer to the samin writingis and thingis
 “ laid to her charge, but ony exceptioun.”
 To this it was answered on the spot by Mary’s ministers, That what Secretary Cecil, in his mistres’s name now required, was already done, *viz.* “ by twa feveral

* Cot. lib.; Goodall, vol. 2. p. 309.

† Goodall, vol. 2. p. 235.

‡ Ibid. p. 310.

“ writingis

“ writingis schawin and read in presence of
 “ hir Majestie (Elisabeth) and hir counsal,
 “ subscrivit with hir awin hand, and under
 “ hir signet, quhair of the extract was deli-
 “ verit to Quene Elisabeth herself *, in the
 “ quhilk scho offerit to mak answer upon
 “ certain conditionis thairin expremitt, swa
 “ being scho may have the writingis, or
 “ at leist the copies of thame.” This an-
 swer Secretary Cecil, it would appear,
 thought sufficient. He makes no reply;
 and, indeed, it was no wonder. The inten-
 tion of this last shift, which lost its aim,
 was only to put some colour upon a flat re-
 fusall to allow Queen Mary to see either the
 principal writings, or even copies of them.
 Mary’s commissioners were wise enough to
 take hold of this occasion to urge another
 point, viz. a complaint in their mistress’s
 name, in respect “ That the Erle of Mur-
 “ ray and his adherentis, quha have been
 “ publictly accusit be the Quene,—wer li-
 “ censit be the Quene of England to de-

* *Vide* Mary’s letter from Bowton, 19th December 1568,
 p. 26. of this; Goodall, vol. 2 p. 285. and 288. And ditto
 from Bowton the 2d January 1569, p. 30. of this; Goodall, vol. 2.
 p. 298.

“ part the realme into Scotland, not abiding
 “ to heir the defence of the Quene’s Hie-
 “ nes’s innocencie, nor the tryal and pruiſ
 “ of thair detectioun, quhilk was offerit to
 “ pruiſ thame guiltie and culpabil of the
 “ ſamin crime ; but thair being fully di-
 “ mittit, and na end put unto the cauſe, it
 “ appeirit not thairfor meit that the Quene
 “ ſould mak ony furder anſwer, leſs nor hir
 “ ſaid rebellis be ſtoppit, to remane within
 “ this realme, until the time that the trial
 “ tak end : And gif thay wer ſufferit to de-
 “ part, deſirit that it might be alſwa lea-
 “ ſum to the Quene, thair ſoverane, and
 “ hir commiſſioners, to depart into Scot-
 “ land, for the greit inconvenience micht
 “ follow, in cais the ane part wer permittit
 “ to paſ to Scotland, and the uther detenit
 “ within Ingland ; and the inequallity of
 “ dealing in that behalf is apparent.”

To the quhilk it was anſwerit, “ That
 “ the Erle of Murray has promiſit to the
 “ Quene’s Maieſtie of Ingland, for himſelf
 “ and his cumpanie, to return agane
 “ quhenſoever hir Maieſtie ſould call for
 “ him or thame : Bot, in the mean tyme,
 “ the Quene of Scotland, thair miſtreſs,
 “ could not be ſuffered to depart, for divers
 “ reſpecte

“respects *.” Upon this refusal of the Queen’s liberty, her commissioners entered a protest.

In this manner did Murray and Morton, with their box and letters, withdraw from the conferences in England. What afterwards became of the letters, we know not. They are now lost, or have been destroyed, no body knows how. This we are certain of, and have seen, that Queen Mary, notwithstanding her frequent assertions, that they were forged by her accusers, and her repeated earnest supplications, both under her hand, and by the mouth of her commissioners, to see the letters, to answer them, and to prove the forgery upon Murray and Morton, could not prevail in so reasonable a request. And to her dying hour, these very letters, upon which only, at this day, her enemies pretend to found any proof of her guilt, were most industriously hid from her, and at last buried for ever in the same pit of darkness from which they at first emerged.

The conferences being thus finally broke up, it may be proper to show the senti-

* Goodall, vol. 2. p. 312.

ments of Queen Elifabeth and her council, with regard to the matters that had been laid before them.

Elifabeth's visible partiality in every step of the procedure, her determined resolution not to hear Mary in her own defence, and the palpable shifts and evasions used to prevent her from seeing the letters produced against her, can only be accounted for, as arising from a tacit conviction, that they could not stand the test of a fair scrutiny.

Before Murray and his associates got their licence to depart with their evidence, they are called before Queen Elifabeth's council, where Secretary Cecil, by his Queen's command, thus harangues them.

“ For so much as there has been nathing
 “ deducit against them (Murray and his
 “ party) as yet, that may impair their ho-
 “ nour or alledgeances; and, on the other
 “ part, there had been nathing sufficiently
 “ producit, nor shawn be thame, againis
 “ the Queen thair sovereigne, wherby the
 “ Queen of Ingland fuld conceive or tak
 “ ony evil opinion of the Queen her guid
 “ sister for ony thing yet seen; and thair
 “ being allegit be the Earle of Murray the
 “ unqueyit state and disorder of the realm

F

“ of

“ of Scotland now in his absence, hir Ma^{ty}
 “ jesty thinketh meet not to restrain his li-
 “ berty, &c. but suffers him to depart *.”

Whatever might be the real sentiments of Queen Elifabeth in this matter, it appears pretty plain, that the Lords of her council, who had been witnesses to the whole procedure in these conference-, saw through Elifabeth's policy, and were convinced of Mary's innocence. My authority for this, is an incident which happened within some months after the breaking up of the conferences, to wit, the proposal of marriage which the Duke of Norfolk, no less eminent for his virtue than his rank, being the first Peer in England at that time, made to the Scotch Queen. To this it may be objected, That his passion, and the advantages which he proposed from this match, might have blinded him, or made him shut his eyes against the truth. Yet surely this was not the case with most of the English nobility who espoused this scheme †, and particularly the Earls of Arundel

* Goodall, vol. 2. p. 301.

† Dr Robertson, vol. 1. p. 501. says, The greater part of the English Peers, either directly or tacitly approved of the match as

Arundel and Pembroke, and the Earl of Leicester, Queen Elizabeth's favourite, who wrote and signed a letter to Queen Mary, warmly recommending the match, and promising to support her title to the succession of the English crown after the death of Elizabeth. These Peers had all of them been in Queen Elizabeth's council, and had seen and examined with their own eyes the whole pretended evidences produced against Queen Mary. I leave it therefore to the reader to decide, if such would have been the conduct of the English nobility in support of Queen Mary's title to their crown, and in promoting her marriage with a person of the highest rank in the kingdom, had they seen convincing proof from these pretended evidences of her guilt as an adulteress and murderers.

The preceding account of the several steps of the conferences relating to the letters, from the very words of the records themselves, is so very different from, and so contradictory to Mr Hume's relation, in

a salutary project; and the Earls of Arundel, Pembroke, Leicester, and Lord Lumley, subscribed a letter to the Scotch Queen, written by Leicester's hand, warmly recommending the match.

his late history, that I think it incumbent upon me, in justice to the public, to set down a short abstract of his account ; so that, upon a comparison, the impartial reader may, from his own eye-sight, judge how far that gentleman has been directed by certain evidence, or prejudice, against the unfortunate Queen Mary in his representation of this affair.

“ When the charge (says Mr Hume) or
 “ accusation against Mary was given in,
 “ and copies of it transmitted to the Bi-
 “ shop of Ross, Lord Herries, and her other
 “ commissioners, they absolutely refused to
 “ return any answer ; and they grounded
 “ their silence on very extraordinary rea-
 “ sons : They had orders, they said, from
 “ their mistress, if any thing was advanced
 “ that might touch her honour, not to make
 “ any defence, as she was a sovereign prin-
 “ cess, and could not be subject to any tri-
 “ bunal ; and they required, that she
 “ should previously be admitted to Elisa-
 “ beth’s presence. They forgot that the
 “ conferences were at first begun, and were
 “ still continued, with no other view than
 “ to clear her from the accusations of her
 “ enemies ; that Elisabeth had ever pre-
 “ tended

“tended to enter into them *only as her*
 “*friend, by her own consent*, without assu-
 “ming any superior jurisdiction over her.
 “——As the Queen of Scots refused to
 “give in any answer to Murray’s charge,
 “the necessary consequence seemed to be,
 “that there could be no farther proceed-
 “ings in the trial *.”

If this was a necessary consequence of
 Mary’s refusing to answer, (unless in per-
 son, Mr Hume should have added), it may
 be asked, How came Elisabeth, notwith-
 standing, to proceed in the trial, in absence
 of both Mary and her commissioners? Was
 not this the height of partiality, in this pre-
 tended friend of Mary, to hear her enemies
 by themselves, or to receive any thing from
 their hands as sufficient proof against her,
 upon their word only? And when she did
 so, ought she not, in common justice, to
 have communicated the same to Mary?
 But to go on with our author’s account:

“Elisabeth and her ministers desired to
 “have in their hands the proofs of her
 “guilt.—Murray made no difficulty in
 “producing the proofs of his charge a-

* Hume, vol. 2. p. 496.

“gainst

“ gainst the Queen of Scots, and, among
 “ the rest, some love letters and sonnets of
 “ hers to Bothwell, wrote all in her own
 “ hand, and two promises of marriage to
 “ him.—They contained incontestable
 “ proofs of Mary’s criminal correspondence
 “ with Bothwell, of her consent to the
 “ King’s murder, and of her concurrence
 “ in that rape which Bothwell pretended
 “ to commit upon her. Murray fortified
 “ this evidence, by some testimonies of
 “ corresponding facts; and he added, some
 “ time after, the dying confession of one
 “ Hubert, or French Paris, a servant of the
 “ Earl of Bothwell, *who had been executed*
 “ for the King’s murder, and who directly
 “ charged the Queen with her being acces-
 “ sory to that criminal enterprise *.”

Would not any one believe from this ac-
 count, that Hubert had been hanged before
 the time here spoken of by Mr Hume, and
 that his confession had been produced during
 the conferences; and yet we have seen that
 Hubert was alive all the time of the confer-
 ences, and no confession from him, nor the

* Hume, vol. 2. p. 497.

least mention of his name made for ten months after they broke up.

“ Mary’s commissioners (continues our
 “ author) had used every expedient to ward
 “ this blow, which they saw coming upon
 “ them. — And finding that the English
 “ commissioners were still determined to
 “ proceed in the method which had been
 “ projected, *they finally broke off* the confer-
 “ ences, and *never* would make any *reply*.
 “ These papers have all of them been since
 “ published. The objections made to their
 “ validity, are in general of small force:
 “ but were they ever so specious, they can-
 “ not now be hearkened to; since Mary,
 “ at the time when the truth could have
 “ been fully cleared, did, in effect, ratify
 “ the evidence against her, by recoiling
 “ from the inquiry at the very critical mo-
 “ ment, and *refusing to give any answer* to
 “ the accusation of her enemies *.”

In answer to this I refer the reader to the foregoing abstract of the procedure in the conferences, from which he will judge with what candour the historian has so positively asserted, that Queen Mary *absolutely*

* Hume, vol. 2. p. 498.

refused

refused to give in any answer to Murray's accusation and evidence; and that her commissioners *finally broke off* the conferences, and never would make any reply.

On the contrary, it stands proved by the Queen's letters, and every paper delivered in by her commissioners to Queen Elisabeth, from the 25th of December 1568, to the 13th of January following, that she declared her resolution to answer particularly to the accusation; and as a necessary step to that, she earnestly solicited that she, or her friends, might be allowed *to inspect the pretended evidence, or to have a copy of the same*. Both which requests were refused to her.

Thus the account given by the historian of Queen Mary's conduct stands plainly contradicted by the words of the records, which, it appears, he himself has perused. At the same time it is easy to perceive the poor evasion that our author pretends to make for this so strange a detail, *viz.* 1st, That Mary had insisted to confront, personally, Murray and Morton her accusers, in presence of Elisabeth, the whole English nobility, and foreign ambassadors; which Mr Hume is pleased to say,
was

was such a request as could not be granted *. Let us for once suppose it was so. Was this a good reason for refusing to give Queen Mary a sight of the evidence produced against her ; and while Elisabeth unjustly refused this demand, did she not put it beyond Mary's power to make any answer whatever ?

2dly, Says our author, Mary's request being refused, her commissioners had protested against all further procedure, on the 9th of December. The conferences, therefore, according to Mr Hume, were from that minute, as he has said above, finally broke off. But this is a pitiful shift, in which our author has followed Anderson, who breaks off his collections, and gives us no more of the proceedings of the English council after the 16th of December 1567 †. Let it be asked, What was the basis of these conferences, and the design of the parties by entering into them ? Mr Hume himself has told us above, that the confer-

* Dr Robertson is however of a quite different opinion, and allows that the refusal of Mary's request was partial and unjust ; *Robertson, vol. 1. p. 413.*

† Anderson, vol. 4. p. 179. as we have already observed, p. 26.

ences were at first begun, and were still continued, with no other view than to clear Mary from the accusations of her enemies : “ Elifabeth,” says he, “ had only entered “ into them *as her friend, by her own consent*, not assuming any jurisdiction over “ her.” This I agree was truly the footing the conferences were on : Mary demands to be heard personally upon her defence ; to confront and interrogate her accusers : A demand that will, I presume, be thought a most just and necessary one. Elifabeth refuses it : Mary’s commissioners, on so manifest a partiality, protest against all future procedure in the matter. What follows : Let me ask, Do the conferences finally break up, as Mr Hume has asserted ? No ; it is quite otherwise. On the 16th of December 1567, Elifabeth “ wald not be “ content that ony of thame (the Scots “ commissioners) should depart into Scot- “ land before the end of this conference *.” She allowed Murray and his associates to proceed, and produce the proof of their accusation ; and, twelve days after the protest, she wrote to Mary, and advised her to make

* Goodall, vol. 2. p. 269.

answer *. This Mary had determined to do, before the date of Elisabeth's letter of the 21st of December; and had already written her resolution to her commissioners, on the 19th of that month, to have inspection of Murray's proof, and doubles of all the writings, "*and with God's grace,*" says she, "*I sall mak sic answer to thair accusation, as my innocence sall appear, and thair guilt †.*" It is plain, therefore, that as the conferences were entirely founded on the consent of parties, allowing that Mary's commissioners, or that even she herself had broke them off, yet as Murray and his associates, on their part, were still going on before the English council, it was still in Mary's power to resume her defence, as Elisabeth herself desired she should do; and which she did accordingly, in the strongest manner by letters under her hand and signet.

Upon the whole, I leave it to every impartial person, to judge with what justice our historian has given sentence in favour of the evidence against Queen Mary, and to make his own reflections. At the same

* Anderson, vol. 4. p. 179.; Goodall, vol. 2. p. 269.

† Cor. lib.; Goodall, vol. 2. p. 289. Pag. 26. of this.

time, I think myself intitled to lay hold of the gentleman's own argument, and turn it against himself, by maintaining, That Queen Elifabeth, by refusing to Mary and her commissioners inspection of the evidence against her, or to give so much as a copy of the letters, " did recoil from the " inquiry at the very critical minute when " a scrutiny was demanded of that evidence, and when the truth could have " been fully cleared ; and therefore has ratified every argument and proof of forgery that is now brought against them ; " —and, in fine, has left an indelible stain upon the justice of the whole procedure in that affair,

C H A P. II.

Abstract of Mr Goodall's arguments, proving the letters to be spurious ;—Dr Robertson and Mr Hume's objections to Goodall's proof ;—Critical observations on these authors, and answers to the objections.

THE conferences in England being ended, the original letters, said to have been written by the Queen to the Earl of Bothwell, were never afterwards exposed to light. Queen Elisabeth having attained the double end, of blackening Queen Mary, and securing the dependency of Murray's faction, broke off all further inquiry. That copies of the letters were soon after spread abroad, is notorious. After being in the hands of Elisabeth and her council, whose great aim, through the course of their proceedings, as has been shown, was, to load Mary with the crimes imputed to her by her rebellious subjects, to countenance and support them in their usurpation, and to give a specious pretence for detaining that princess a prisoner in England; it will

will scarce be imagined that Elifabeth would lose the fruit of her labour, which she had, by so much industry and care, brought to maturity, by keeping locked up from the public those pretended evidences of Mary's guilt, *her love letters and sonnets*.

The originals produced were written in French, a language then as generally understood at the court of England as it is at this day. What a fund this of court-scandal! how delicious to Elifabeth, to mortify so hated a rival to her genius, to her beauty, to her kingdom! It will obviously occur, that Mary, by this time, when those letters must have been in every body's hands, might easily have procured copies, and made answer to them. I own it is not to be doubted but she must have got copies of them; but, as has been already observed, a forgery cannot be detected from a copy, and the inspection of the originals had constantly been refused to her. What answer then could she make? An answer, however, she did make. The Bishop of Ross, the very same year 1569, published her defence*.

* Anderson, vol. 1. part 2. preface v.

As to the letters, they are asserted to be forged; and that it was notoriously known, that persons about the Queen had often been in the practice of forging letters in her name;—that they had neither date, address, seal, nor subscription;—that, as what was said to be the originals, had only been collated by the Queen's accusers, there was no proof that they were of her hand-writing.——The person (says the Bishop) who was surmised to be the bearer, (Nicholas Hubert, or French Paris) “at the time of his execution, took it upon his death, as he should answer before God, that he never carried any such letter, nor that the Queen was participant, nor of council in the cause *.” We see then, that though the Queen was denied a sight of the original letters, yet, under that disadvantage, she made as good an answer as it was possible for an innocent person in her circumstances to have done.

There is no mention made of the letters after this, until the year 1571, when Buchanan published his libel, intitled, *Detestatio Mariæ Reginæ*, which at the same time

* Anderson, vol. i. part 2. p. 19.

was published in the Scottish dialect. Secretary Cecil immediately took care to have it printed in England that same year 1571. The Latin copy had affixed to it the first three letters of Mary, translated by Buchanan into that language; and the Scottish copy contained eight letters and the love-verses *.

In the beginning of the year 1572, at the time of the Duke of Norfolk's trial, a French translation of Buchanan's *Detection* was printed at London, to which were subjoined seven of these French letters, and the love-sonnets in verse. The title-page bears, that it was printed *à Edimbourg le 13 de Fevrier 1572, par Thomas Waltam*. But there never was a printer in Scotland of that name.

The original letters themselves, with the silver box, delivered back to Morton, being long ago lost, this French copy of the *Detection*, with seven of the French letters annexed to it, and the love-sonnet in rhyme,

* *Vide* Alexander Hay's letter to John Knox, dated the 14th December 1571; and an anonymous letter published at that time in England, to give credit to Buchanan's book; Goodall, vol. 2. p. 371. and 377.—*Vide* also a letter from Cecil to Walsingham in Digges's ambassador, p. 151.; Goodall, vol. 1. p. 106.

has,

has, now for these 200 years, been looked upon by all parties as true copies of the originals, and underwent several editions as such.

The late learned Mr Walter Goodall, keeper of the Advocates library at Edinburgh, who had made it his study to collect materials for the history of those times, a few years ago published a critical examination of the letters. By comparing the three different copies of them together, he has with great acuteness shown, that these pretended letters, said to be written in French by Queen Mary to the Earl of Bothwell, must be spurious. His arguments may be reduced to this short proposition.

The letters said to be written in French by the Queen, as now extant, have, by all parties, been held for true copies of the originals produced by Morton, and have, down to this time, passed uncontested as such.

Buchanan, the confidant of Murray and Morton, who attended them both at York and London, had the letters in his custody, and was so much master of their contents, that he was employed by Murray to show and explain them to the English commis-

H

sioners

fioners at York, and translated the three first of them into Latin.

If then it can be shown, that, in place of the French being the originals, the Scotch copies are the true originals, and that the French are apparently translations from Buchanan's Latin, the conclusion fairly follows, that these French pretended originals are spurious. This Mr Goodall has done.

By comparing the letters, as they stand in the three different languages, he has, to a demonstration, shown, that in place of the Scotch and Latin being translated from the French originals, these last are palpably a version from the Latin, and the Latin again a version from the Scotch. The Scotch is apparently original: the thoughts therein are naturally and sententiously turned, and it abounds in phrases and proverbs peculiar to that language.—These are fervilely expressed in the Latin, and sometimes erroneously: and as often as that happens, the French always follows these errors of the Latin. I shall not tire my reader with going through all Mr Goodall's ingenious remarks; I shall only quote two

OF

or three examples from the first letter *, and refer to his book for the rest.

1. The Scotch copy says proverbially, in letter first, "Thair's na receipt" (meaning a prescription of phyfic) "can serve againis" "feir." The Latin has, "Nullam adversus timorem esse medicinam." And the French is, "Qu'il n'y avoit point de remede contre la crainte."

2. Scotch, "Ze have *sair* going to see" "*seik* folk." Another proverbial saying.

The Latin translator has here committed no less than two blunders; he mistook the word *sair* (or fore) for *fair*, and the word *seik* for *sic* (or such), and has translated them both erroneously in the last sense:

"*Bella hujusmodi hominum visitatio.*"

And the French copies him thus: "Voyla" "*une belle visitation de telles gens.*"

3. The Queen is made to say, That she was going to seek her rest till to-morrow, "quhen" (says she) "I fall end my *bybill*," in place of her *bylle* (or bill), a word used commonly at that time for any sort of writing. The transcriber, from the resemblance of the two words, made it *bybill*.

* Goodall, vol. 2. p. 1.

The Latin follows him in this absurdity :
 “ Ego eo ut meam quietem inveniam in
 “ crastinum, ut tum mea *biblia* finiam.”
 And the French follows him thus: “ Je
 “ m’en vay pour trouver mon repos jus-
 “ ques au lendemain, afin que je finisse
 “ icy ma *bible*.”

The Queen is made to say, “ I am ir-
 kit, and going to sleep.” From the similarity
 of the words, the transcriber has wrote *na-
 kit* (*i. e.* naked) in place of *irkit*. Which
 is translated in the Latin, “ *Ego nudata*
 “ *sum* ;” and the servile Frenchman a-
 gain translates it, “ *Je suis toute nue*,” “ I
 “ am quite naked.” We must believe the
 Queen to have been of a very warm com-
 plexion indeed, to be thus writing her love-
 letter stark naked in the month of Janu-
 ary in Scotland.

These are only a few of many such pal-
 pable instances discovered by Mr Goodall,
 whereby he has proved undeniably, that
 the present French letters, in place of being
 the originals, are, to a demonstration, trans-
 lations from Buchanan’s Latin, and these
 again versions from the Scotch copies of the
 letters. This he has made so evident, that
 Mr Hume, and likewise Dr Robertson in the
 Dissertation on the murder of King Henry
 Darnley,

Darnley, annexed to his history, who both labour to vindicate the authenticity of the French letters produced by Murray and Morton, have been obliged *fairly to acknowledge* *, that the French letters now extant, are palpable translations from Buchanan's Latin and Scotch copies of these letters : A concession the more remarkable, that it was never made before by any individual on their side of the question, the present French copy being always held to be the original from the year 1572, until the day that Mr Goodall published his detection of this pretended original, and exposed the imposture.

Mr Hume, and his ingenious friend the author of the Dissertation, make light of this discovery of Mr Goodall, and endeavour to evade the force of it, in the following manner. The original letters (say they) are now lost, and we know nothing of them. I shall cite the learned Dissertator's words in his answer to Mr Goodall: " All this
 " author's (Goodall's) premises may be
 " granted, and yet his conclusions will not
 " follow, unless he likewise prove, that
 " the French letters, as we now have them,

* Hume, vol. 2. p. 499. ; Robertson, vol. 2. p. 25.

" are

“ are a true copy of those which were produced by Murray and his party in the Scots parliament, and at York and Westminster: but this he has not attempted *.” Mr Goodall is obliged to the learned Dr Robertson for having done it for him in his Dissertation, by fairly acknowledging, “ that Buchanan made his translation, not from the French, but from the Scotch copy †.” Is not this downright conviction? The historian here ingenuously tells the truth, though perhaps he was not aware of the consequence. Had there been any other French letters than the present, what occasion had Buchanan for the Scotch, when he himself must have had possession of the originals. The Dissertator had certainly forgot, that Buchanan was actually one of the assistants appointed to the Scotch commissioners, and intrusted with the conduct of the whole process; and did, with Lethington, Makgill, and Wood, exhibit the original letters, and explain their contents in private to the Eng-

* Robertson, vol. 2.; Dissertation, p. 25.

† Dissertation, p. 29.

lish commissioners *. Buchanan could not have lost or mislaid them, because it is evident from Mr Anderson's account, that those letters were translated by Buchanan at London in the very time of the conferences †.

The point in question is, Whether such French letters ever existed? Surely it is a fair conclusion to assert, that if they did not exist with Buchanan, they did not exist at all; and if the Scotch commissioners, who were said to produce them, never saw them, no body else ever did. It cannot be pretended that Buchanan did not understand the French; he passed most of his life in France, and taught a school there. Indeed since the Dissertator has been drove to deny that the French letters before us are true copies of the originals, by all laws of proof and criticism, it was his business to produce these originals. But how is it possible to fix men, who, after having, for two hundred years, quoted and insisted on these letters as originals, and have even commended the elegance of

* English commissioners letter to Queen Elisabeth, Cot. lib. Cal. C. 1. p. 198.; Goodall, vol. 2. p. 140. and 142.

† Anderson, vol. 2. preface, p. ii. and a letter, p. 261.

their

their composition, on finding themselves forced to give them up, have now recourse to other letters, which they acknowledge to be lost; and now pretend to say, were never seen, even by Buchanan, who was employed by the public to produce them?

It was never till this day insinuated by any of the partisans against Queen Mary, that the present French letters were vitiated translations. Not even Morton himself, nor Buchanan, who lived many years after the publication of these identical French letters now before us, ever said so; which it was incumbent on them to have done. The silence therefore of these two persons, who had the originals in their hands, is a clear testimony to the authenticity of the present French copy, which now stands in place of the original. That they are vitiated translations, was never pretended by any body, until Mr Goodall proved them, to a demonstration, to be so. Every body must be sensible, that the concession now made by these gentlemen, would have come with a much better grace, had it been prior to Mr Goodall's discovery: It therefore becomes incumbent upon them now, since they give up their own copies, to produce
the

the originals themselves, otherwise the pretended proofs of the Queen's guilt are blown in the air. Mr Hume will perhaps tell us again, "That it is in vain, at this day, to object to the letters, or to call for the originals; they were regularly and judicially given in, and ought to have been canvassed at the time." I heartily agree with him. Had the Queen remained silent at the time when Murray produced his letters, I think his argument must have been conclusive. But did she remain silent on that occasion? On the contrary, she cried aloud, that her adversaries had produced forged writings against her; she prayed in vain, by repeated supplications, that they might be inspected by her or her friends; and she undertook to prove the forgery. What was the result of all this? The letters are huddled back in haste to Murray and Morton, and they are sent a-packing to Scotland, with their evidence; so that the Queen to her dying hour never once saw them. What they did with them after that, there is no body, at this day, can tell. We are told they are lost, and that is the sum of the story. The conclu-

sion from this is left to every impartial person to infer, as he thinks fit.

But now that it is said the original letters are lost, how is it possible to make good the accusation against the Queen? By copies, it would appear. Let it be so: These copies have now been examined, and detected to be vitiated and spurious. Any body would be persuaded to think, that here the argument must naturally conclude in favour of the Queen. It is not so, however. We are told, that although the letters now extant, cannot be said to be either the originals, or copies from the originals, yet they are translations from translations at the third hand. It is difficult to combat with so slippery an antagonist, who shifts his ground every minute, and, when one thinks he has him fast, slips through one's fingers. Let us try, if possible, to hold fast this Proteus.

And, in the *first* place, Let us examine the arguments brought by Dr Robertson in support of this new, and till now unheard-of hypothesis, That the printed French letters now before us, are neither the same, nor true copies of the original letters that were produced by Murray and Morton before
Queen

Queen Elifabeth.—And, *secondly*, We shall examine his proof, That other original French letters, besides the present, ever did exist.

The chief authority brought by Dr Robertson in support of the first branch of his proposition, is from the preface to the French letters, in which the editor says, "*That he translated these letters from the Latin.*"

I shall give the whole in the editor's own words. "These epistles," says he, "had been written by the Queen, part in *French* and part in the *Scotch language*, and afterwards translated *entirely into Latin*; but as I had no knowledge of the *Scotch*, I chose rather to express *the whole that I found in the Latin* *."

I have already said, that the title-page of this book bears, that it was printed at Edinburgh, the 13th of February, by Thomas Waltam.

I shall now prove by undoubted evidence the whole of this tale to consist in a chain

* Les epistres mises sur la fin, avoit été escrites par la Roynne, partie en François, partie en Ecoissois, et depuis traduites entièrement en Latin. Mais n'ayant cognaissance de la langue Ecoissoise, j'ay mieux aimé exprimer tout ce que j'ay trouvé en Latin; Goodall, vol. 1. p. 103.

of lies, and that the same was contrived as a blind to conceal the true place, London, where they were printed; and for what purpose this false story was contrived.

And, in the first place, That they were not printed at Edinburgh, is universally acknowledged, and that there never existed a printer at Edinburgh of the above name. This is owned by Dr Robertson *. Let us now endeavour to strip this English impostor of the French disguise he has chosen to cloak himself under: for which purpose it is necessary to trace back the history of those French letters.

We have already seen, that, in the year 1571, Buchanan published his libel, called *Detectio Marie*, both in the Latin and Scotch languages; to which he subjoined, in the Latin language, a translation of the three first French letters, and all the eight letters in the Scotch language.

The very next year, 1572, about the time of the Duke of Norfolk's condemnation, and while a treaty was carrying on between Elifabeth and the King of France, it was thought proper to publish a transla-

* "The name of the place, as well as of the printer, is by all parties allowed to be an imposture;" *Dissertation*, p 25.

tion into French of the *Detection* with all the letters ; which, being said to be originally written by the Queen in French, were surely printed *verbatim* from the originals. To suppose otherwise, that these letters, printed and published along with the French translation of Buchanan's *Detection*, were translations done into French from the three letters published by Buchanan in Latin, appears to be quite incredible. For the original French letters, after being produced both in Scotland and England, in the years 1567, 1568, 1569, and 1571, with the well-known care and industry shown by Elifabeth and Secretary Cecil, in promulgating every scandal against Queen Mary, and, for that very purpose, using every means to give credit to Buchanan's books, as shall be shewn, must have made copies of these identical French letters very common, and in every body's hands. It is therefore contrary to all human probability to suppose, that the translator of the *Detection* into French, published in London, or where you will, could not procure a copy of the French letters themselves, to annex to his book ; but was so hard put to it, that he even translated the letters himself into French from those in Latin published

blished by Buchanan. Yet, improbable as this is, let us suppose it to be the case; still it will not answer. This publisher of the French *Detection* has averred, "That he had no knowledge of the Scotch language, and therefore chose to express all that he found in the Latin." But Buchanan translated only three of the letters into Latin; nor was it ever heard, that any more than the three first of the French letters were translated into Latin: and yet this impostor has the assurance to say, that he translated the whole seven French letters from the Latin.—But to go on; in support of this glaring falsehood, he is necessarily obliged to tell another equally gross, viz. That these letters had been *wholly translated into Latin* *. From all which it is evident, that the affected disguise and lies of this editor were contrived to make us believe, that this book was not printed in London.

But after all this, it may be asked, Wherefore all this contrivance, this studied disguise and imposture? No body is at pains to tell lies, or disguise the truth, but

* Entierement traduites en Latin.

for some end or other. This I shall endeavour to account for. As we have seen that the place where his book was printed is studiously concealed, it is only from circumstances that this matter can be found out.

In the year 1571, negotiations between the English and French courts were on foot, touching the Duke of Anjou's proposal for marrying Queen Elifabeth. Mary had always a minister at the French court, soliciting her release from the hands of Elifabeth: And at this very period, her relation, the Duke of Guise, by obliging Colligni to raise the famous siege of Poictiers, was in the height of glory and power at that court *. It therefore became necessary for Elifabeth to defeat those solicitations of Mary, by giving plausible reasons for detaining in prison that princess; and, above all, to expose her conduct to the princes on the continent in the blackest colours †.

With

* Hume, vol. 2. p. 531. and 532.

† This is not conjecture. The author of *L'Innocence de Marie*, a cotemporary writer, then living in France, expressly says so: Mentioning this French edition of the *Detection*, he adds, " Libelle diffamatoire, envoyé secrettement, et à cachette " exposé par la France, contre la Royne d'Ecosse, et le Duc de
" Norfolk.

With regard to the English nation, Elizabeth had sufficiently accomplished the above measure, by publishing several English editions of Mary's letters, and George Buchanan's *Detection*.

But these books were confined to England. Besides, being in the Latin and Scotch or English languages, in order to answer the present purpose of diffusing the libel against Mary through Europe, it became necessary to have it translated into the French language, then more generally understood upon the continent. Another accident fell out about the same time, which concurred to forward this design.

The Duke of Norfolk having renewed his proposals of marriage to Queen Mary, and joined with her in soliciting the King of Spain to restore her to her own dominions, that whole affair was discovered. The Duke was brought to his trial, and condemned for high treason, the 12th January 1572. But, as that Nobleman was extremely beloved by all ranks in the kingdom, and had great connections abroad,

“ Norfolk, lorsque le Roy Très Chrestien, frere et allie de cette
 “ princesse, estoit sur le traité d'une ligue avec la Roynie d'Angle-
 “ terre ;” *Jeb, vol. 1. p. 425.*

it was thought proper to respite his execution till May thereafter: and, in the *interim*, to pave the way, by showing the expediency of it, from his connections with Mary, that dangerous rival! and likewise to expose that queen, particularly to the court of France, at a time when the treaty between Elifabeth and Charles was in agitation.

The instructions given by Elifabeth to her minister at the court of France, are in these words: "It were not amiss to have divers of *Buchanan's little Latin books* to present, if need were, to the King, as from yourself, and to some of the other noblemen of his council; *for they will serve to good effect to disgrace her* *."

For those purposes, the French translation of Buchanan's *Detection*, with the letters subjoined, seems to have been made. Had it been only calculated for the meridian of France, and to expose Queen Mary, no more was necessary to be printed than the French *Detection* only, with the origi-

* "For what purpose they happened to be then printed, we are informed by Elifabeth herself and her ministers, in their instructions in the year 1571, to her resident in France," Good. vol. 1. p. 25.

nal letters. But what plainly shows that this book was manifestly designed to serve another turn, in London, is the book itself. There is annexed to it a treatise, intituled, "Sommaire de conspirations faites par la Royne d'Ecosse contre la personne et l'estat de la Royne d'Angleterre." This treatise is no other than a libel against the Duke of Norfolk and Mary; and, by its date on the last leaf, appears to have been finished the 13th February 1572, just a month after the Duke's condemnation.

There is likewise another piece of evidence, which seems to put the matter out of all doubt, that this book was printed at London. In the above treatise, or *sommaire*, mentioning persons who had been condemned and executed for treason, instigated, as is alledged, by Mary, it is said, "Entre lesquelles au commencement de cette anne 1572, estoit un Anglois nommé *Mather*, — avec un autre nommé *Barn*." These men, we know for certain, were executed at London on the 11th of February 1572, and the book was finished at the printing-house (*achevée d'imprimer le*) 13th of February that year. It is impossible, therefore, that a book, printed any where else than in
London,

London, of that date, could give an account of executions which happened there only two days before. There is one way to evade the force of this last evidence, by saying, that as the place of printing is disguised, the date may be so too. I can see a good reason for not avowedly printing in London so inflammatory a libel against the first and greatest peer of the realm, a man in such general estimation as the Duke of Norfolk then was, and at so critical a time as when he lay under condemnation. But, supposing the book to have been printed where you will, no manner of reason can be given for imagining the date to be any other than what it bears.

I have been the more particular in endeavouring to show that this book was truly printed in London; because, upon that ground, Mr Goodall has, to the conviction of every mortal, shown, that the French letters, as they now stand, are impostures. I shall now examine the arguments used by Dr Robertson against Mr Goodall's position*.

* Robertson, vol. 2. Dissertation p. 25.

We have already stated and obviated one general objection of this gentleman's. That as the place of printing this French edition is fictitious, the date may be so too. To prove that it was printed in France, he has produced the testimony of two French writers. The first is Blackwood, who says, "*Buchanan a depuis adjousté à ceste declamation un petit libelle du pretendu mariage du Duc de Norfolk, et de la façon de son proces, et le tout envoyé aux freres à la Rochelle, lesquels voyants qu'il pouvoit servir à la cause, l'ont traduit en François, et iceluy fut imprimée à Edimbourg, c'est à dire à la Rochelle, par Thomas Waltem, nom aposté et fait à plaisir.*"

The other testimony is the author of *L'Innocence de Marie*, who says, the Detection "*premierement composée par George Buchanan, et depuis traduite en langue Francoise par un Huguenot, Poitevin Camuz.*" The Differtator should have taken in the whole account which this last author gives of the history of this *Detection*, which I shall supply: "*Libelles diffamatoires, espars et publiez par tout: nommement un, imprimé du 17. Feburier 1572, envoyé secrettement, et à cachette exposé, par la France,*"

“ France, contre cette Royne d’Ecosse, & le
 “ Duc sus-nommé, lorsque le Roy Tres-Chrestien,
 “ tres-cher frere, & ancien allié de ceste
 “ princesse captive, estoit sur le traite d’une
 “ ligue avec la Royne d’Angleterre *.” This

last testimony seems to be directly against the Differtator. The author says, indeed, that the *Latin Detection of Buchanan* was translated into French by one Camuz. No body will dispute whether it was so or not; but it says nothing of the place where it was printed †. On the other hand, by the words, “ *envoyé secrettement, & exposé par la France,*” it is plain, that, according to this author, it was not printed there, but was sent thither afterwards, and dispersed through that kingdom, from its lurking-holes. Blackwood, indeed, on account of the disguised title, guesses that it was printed by the Huguenots at Rochelle to serve their cause. But pray how could this

* Jebb. vol. 1. p. 425.

† Here it is likewise to be observed, that none of those French writers, when they mention the *Detection*, ever pretend to say, that the Queen’s letters were translated in France, which indeed is absurd to imagine, while the French originals could so easily be come at.

libel against the Duke of Norfolk, a staunch Protestant, serve the cause of the French Huguenots? I am glad however, that Dr Robertson has furnished me with two such good evidences of his own chusing, to ascertain a fact, which I was somewhat suspicious of indeed, but would not venture positively to assert, without very good authority. This fact is, that Buchanan, who was the original author of the *Detectio Mariæ*, and translated the same into the Scotch language, with the addition of the *letters and verses*, for the benefit of the two kingdoms of Scotland and England, had likewise a share in this French edition, whether printed at London, or sent to his *brethren a la Rochelle*. Since, therefore, the ingenious Differtator has produced those two witnesses, "whose testimonies (to use his own words) must outweigh a slight conjecture," I will be very far from rejecting them. One thing he must allow however, that their testimonies may be taken as they stand, without rejecting any part of them. This being granted, I will frankly allow the gentleman to take his choice of any side of this question he pleases: that is, whether he truly thinks, the circumstantial

tial evidence, from the authorities I have already recited, proves, that the French edition of the *Detection* and letters, was printed in London: or, *e contra*, if he thinks that the declarations of his French witnesses preponderate, and prove them to have been printed in France. But he has already told us, that the testimony of those Frenchmen outweighs all conjecture; they must therefore be relied upon: and they, at least Blackwood says, it was translated and printed at Rochelle. If that is the case, who furnished them with the materials for this translation? The same Blackwood says expressly, "that Buchanan sent the whole to his brethren at Rochelle." Now, if Buchanan sent the whole, as Blackwood affirms, he certainly would send a faithful copy of the original French letters, which all the world knows he was possessed of: so that there they must have been printed from the genuine French originals, which came directly from the hands of Buchanan. In either case, therefore, whether those French letters be allowed to have been printed at London, or in France, I think there is clear evidence, that the publisher must have printed them from the originals.

If

If in London, there they were in every body's hands; and I have shown that Cecil, Elifabeth's secretary, directed the affair. If in France, the learned Differtator has shown, that Buchanan sent them over to his friends at Rochelle. This fact proves all that I desire. Had our ingenious author, to use his own words to Mr Goodall, attended to these circumstances, he certainly would have saved his labour, in adducing his French witnesses, to prove a very material fact, which overturns his whole hypothesis.

I might here rest the matter: but as the gentleman has made use of another very ingenious argument to prove his favourite point, of the French letters being only translations, I must follow him.

"In the Scotch translation, (says our author), there was prefixed to each letter two or three sentences of the original French, which breaking off with an *&c.* the Scotch translation of the whole followed.—The French editor, (continues he), observing this, foolishly concluded, that the letters had been written partly in French, partly in Scotch*."

* Dissertation, p. 26.

In answer to this, we have already shown, that nothing can be founded on what this French editor, or Englishman rather in a French dress, says, from a plain purpose to impose upon us. But to imagine, that he was either ignorant or foolish in this affair, will not easily pass. I shall put a similar case: The English version of the psalms of David, in the liturgy of the church of England, has, at the head of each psalm, a Latin sentence, which is the beginning of the psalm to which it is prefixed, and serves only for a sort of title to it. Thus the first psalm has these words, "Beatus vir qui non abiit." After which follows the English translation of the whole psalm from the beginning. Now, can it be supposed, that any Frenchman, in giving an account of this English version of the psalms, should tell us, that the version was composed partly in Latin, partly in English? I believe, no body will think so. The case in hand is precisely the same.

I next proceed to examine and redargue the second branch of Dr Robertson's position, *viz.* his arguments to prove, that another original of the French letters did exist, besides the present printed letters.

L

This

This branch of his argument the ingenious Doctor endeavours to support, by showing, that, on comparing those few French sentences on the head of the letters, with those parts of the French letters that follow them, it will plainly appear, says he, that the sentences, by the spirit and elegance in them, are the only remaining parts of the original French, as written by the Queen, and what follows them, are only servile translations from the Latin version of Buchanan. To prove this, our learned author gives some few examples. For instance:

The sentence, says he, in the beginning of the first letter, has these words*: "*Veu que ce peut un corps sans cœur.*" — The Latin is, "*Cum plane perinde esset atque corpus sine corde.*"

There is a spirit and elegance in the French, says our author, which is not in the Latin. How far the remark is just or not, is scarce worth while to controvert. If there is either spirit or elegance in the sentence, it obviously lies in the thought, not in the words or expression; in the antithesis

* Good. vol. 2. p. 1.

of a *body without a heart*, which seems to be as happily expressed by *corpus sine corde*, as by *corps sans cœur*; whence it is difficult to say which is most original. But I shall make no scruple fairly to acknowledge, that in one or two instances, which he gives from these sentences, there seems to be a happier turn of phrase in the French than in the Latin. But still this only shows, what every man of reading must frequently observe, that the most wretched and dull translation, in some particular sentences scattered through it, may even surpass the original in the turn of a phrase; which may be more owing to the language, than to the translator's merit. And the truth of this proposition may even be shown from the parts of those very French letters which our author allows to be palpable translations. I shall give a few examples.

I desire our author only to look to the very next paragraph of the first letter, after his own example.

“ Vint a moy un *gentilhomme* envoyé par le Conte de Lenos.” The Latin expresses it thus: “ *Homo honesto loco natus a Comite Leviniaë ad me venit.*”

Letter I. The Queen says, "He wald very fain that I fuld lodge in his lodging."

"Il defiroit fort, que j'allasse loger en son hotel."

How heavily runs this in the Latin! —
 "Magnopere cupiebat, ut ego in ejus hospitio apud eum diverterem."

The King, in excusing himself, is made to say, "I am young."

"Je suis jeune."

"Ego sum adolescens." — This is very puerile in the Latin! and does not convey the meaning of the sentence; which more properly might have been thus: "Adhuc juvenis sum."

I believe it will be readily granted, that, in the above instances, there is a much easier turn of phrase in the French translation, than in the Latin: which proves no more than what is said above, that, in some scattered sentences, a poor and low translation may express the thought better than the original. Mr Goodall's critical observations on the letters, are, however, quite of another sort: he has shown, by many instances, that the Scotch are the real originals; and that the Latin translator, by mistaking some words in the transcribing,
 from

from their similitude, has entirely perverted the sense in several passages, such as *byble* for *bylle*, followed by the Latin translator, who makes it *biblia*, and the French, said to be the original of all, following the error of the Latin, translates it *bible* *.

In the same manner, the Scotch word *irkit* (i. e. *weary*) has been erroneously, from its similitude, read *nakit*, translated *nudata* in the Latin, and by the French *nue*, after the Latin. Thus in both the above passages the sense is rendered altogether absurd. But I need not tire the reader with more on this subject; since both our author, and Mr Hume, the other combatant for the authenticity of the letters, do plainly acknowledge, that Mr Goodall has proved the present French letters to be direct translations from the Latin, which is sufficient for my present purpose †.

I have only one argument more to answer, which is used by Mr Hume. The present French letters, he acknowledges, are professedly done from the Latin; no body

* Goodall, vol. 2. Appendix, N^o 1.

† "It is probable" (says the Dissertator, p. 29.) "that Buchanan made his translation, not from the French, but from the Scotch copy. Were it necessary," (continues he), "several proofs of this might be produced."

can dispute, I think, that the Latin is a translation from the Scotch: "But" (says Mr Hume), "it appears that the Scotch "itself is only a translation from some "other French original, which we have "now lost." What a strange process have we here! And his proof for all this is, because this Scotch copy of the letters, says he, abounds with Gallicisms, and French words: such as "make fault, "*faire des fautes*;—make it seem that I "believe, *faire semblant de le croire*;—this "is my first journey, *c'est ma premiere journee*," &c. From these instances he infers, in a very decisive manner, that the Scotch letters are not originals, but translations from a French original *.

The answer to this is, That any person conversant with the language and writings in Queen Mary's time, and even after that period, will see, that from the long and continued intercourse and connection between the Scotch and French nations at that time, the Scotch language abounded with Gallicisms, and even with French

* Hume, vol. 2. p. 499.

words;

words ; some of which, though now almost worn out in our writings, yet remain to this day in our language, especially among the vulgar. Mr Hume himself, and every other Scotchman, knows well what the vulgar mean by giving a *bonne-allée*, or parting cup ; also, in the same sense, giving one's *foy*.—To give a *bennison* or blessing, is still a vulgar phrase ; and the *beggars bennison* is universally known in Scotland. Old people still give the name of *montre* to a watch ; and a *jardelou*, or *gare de l'eau*, I believe, is pretty well understood in Edinburgh, even at this very day. I shall also give a few instances from the writings of those times. In the Earls of Huntly and Argyle's protestation, Lethington says, " Tak " you na care, we sal fynd an *moyen* to " make her quit of him."—Queen Mary, in answer to Murray and Morton's accusation against her, says, " they have " *meschantlie* sclanderit her."—Secretary Lethington, confessedly the best Scotch writer of that time, in his letter to Cecil, the English secretary, useth the word *appuy*, for support *.—Sir James Melvil's Me-

* Keith, p. 233.

moirs, p. 184. "others of the *finest* of them
 "perswaded the regent." By the word
finest, in this place, is meant the most sub-
 tile, cunning, or penetrating genius, from
 the French words *fin* and *finet*, a cunning
 or subtile man; a word not known or used,
 either in writing or in common speech, at
 this day.—In the very next page of Mel-
 vil: "He desired the accusation to be *ren-*
dered up to him again."—And Secre-
 tary Cecil useth this phrase, "and because
 "it was *bruted*, i. e. rumoured." See
 P. 34.

These are a few of many instances * that
 easily occur, which may be sufficient to
 shew Mr Hume, that Gallicisms and French
 words abounded in the language, and also
 in the original Scotch writings in those
 days, as well as in the letters he mentions.
 Whence the inference he is pleased to make,
 that the Scotch letters are, for that reason,
 no originals, but translations from some
 other French originals, must fall to the
 ground.

* We may observe too, that some of the Gallicisms he un-
 luckily pitches on, are standard words, and daily used in the Eng-
 lish language; as *journey* is the usual word in England for a day's
 work of a labourer; *journey-man*, a day-labourer; and *journey-*
work, the work of a day-labourer.

But

But further, as far as I can judge, there appears, in the Scotch copy of the letters, a spirit, and so happy a turn of phrase, altogether peculiar to that language, and so very different from the languor, baldness of expression, and servility of both the French and Latin copies, that plainly denotes the first to be altogether original in every sense. To show this, I shall take a few phrases from the first letter only *.

“ A gentleman of the Earl of Lennox
“ came and *made his commendatiouns* to me.”
This phrase is still used in the Scotch language, to signify he presented his compliments.

“ This speech was *of his awin head*,
“ without ony commission.”

“ There is na receipt can serve againis
“ feir.”——A proverb.

“ He hes ever the teir in his eye.”

“ Fals race—they hac bene at schullis
“ togidder.”

“ He hes almaist slane me with his
“ braith.”

“ Ye have fair going to see sick folk.”

“ He gave me a check in the quick.”

* Appendix, N^o 1.

“ Excuse that thing that is scriblit.”

These few examples of proverbial sentences and phrases, peculiar to the Scotch language, and to which the French have nothing similar in their language, are sufficient to show, that this Scotch copy of the letters, is not only the original of the three copies of the letters still extant, but that it is not a translation at all, but a true original in every sense. Both Mr Hume and Dr Robertson have fairly acknowledged, that the Scotch *is the original* of the three copies extant of these letters. These gentlemen have not been aware of the necessary consequence that must follow this admission: If, notwithstanding, they maintain, that this Scotch copy may, for all this, be a translation from some other French original, with submission, it is incumbent upon them to produce that original; or, at least, to show us, that there ever existed any other French letters besides the present copy, and how this other supposed original came to be lost, after being in every body's hands, both in Scotland and England. But this they have not done; therefore their bare assertion must go for nothing.

Thus have I shown, by a fair examination,

tion, upon what weak grounds, and at best but conjectures, the new hypothesis of Dr Robertson and Mr Hume is founded, to wit, " That the present printed French letters which we have, are not the same with those that were produced by Murray and Morton, the Queen's accusers." And I have shown the fallacy of every argument brought by those historians in their attempt to prove, that any other original French letters, besides the present, ever did exist.

To put this question beyond all doubt, I shall conclude, with producing a new witness, who shall even prove what Dr Robertson requires, " That the French letters which we now have, are the identical letters which were produced by Murray ;" a witness too which the candid Doctor cannot reject, as upon the very same testimony he has rested many important facts against Queen Mary. The witness I mean is no other than the Reverend Mr *John Knox*, whose testimony is as follows.

—" In a cabinet, or box, Boetwell had kept the letters of privacy he had from the Quene. *By the taking of the cabinet* many particulars betwixt the

M 2

" Quene

“ Quene and Bothwell wer clearly discovered. *These letters wer after printed; they wer in French, with some sonnets of hir own making.*”——This clear testimony to the identity of the present French letters, as there never were any other French letters printed, answers the postulatum of the learned Dr Robertson and Mr Hume; and therefore concludes against their hypothesis upon the very principles upon which it is built.

I have now gone through this tiresome piece of criticism. The necessity of stating Mr Goodall's examination of the letters, the arguments and objections made to him by the two elegant historians on the other side, and of giving some observations of my own in answer to these objections, will, I hope, be an excuse for me. How far the answer is satisfactory, and the conclusion drawn from it is just, I leave to others to determine.

C H A P.

C H A P. III.

Dr Robertſon's arguments in ſupport of the letters ; answers to his arguments ; with an expoſition of the love-ſonnets.

HAVING in the preceding chapter gone through the ſeveral objections made to Mr Goodall's learned and ingenious criticiſm and detection of the French letters, we now proceed to examine the arguments in ſupport of the authenticity of theſe French letters.

The learned Dr Robertſon, in the Diſſertation annexed to his hiſtory, having, on his part, made a very accurate examination of the letters, from thence he concludes, both from the external and internal circumſtances attending them, that they are genuine ; it is but juſtice to exhibit to the reader an abſtract of that gentleman's obſervations *.

The external proofs of the genuinenefs of Mary's letters, (ſays the Diſſertator), are,

* Diſſertation, p. 18.

1. Murray, and his adherents, affirmed, upon their word and honour, that the letters were written with the Queen's own hand.

2. The letters were produced in the Regent's parliament, and are mentioned in the act against Mary, as the chief argument of her guilt.

3. They were shown privately to the Duke of Norfolk, Earl of Suffex, and Sir Ralph Saddler, Elisabeth's commissioners at York, who considered them as genuine.

4. They were, by Elisabeth and her ministers, believed to be genuine: they laid them before the English council, who, on comparing them with other letters of Mary, believed them to be genuine.

5. The Earl of Lennox and his lady believed Mary guilty of the murder.

Next, with regard to the internal proof of the genuineness of these letters, we may, (says Dr Robertson), observe,

“ 1. That whenever a paper is forged
 “ with a particular intention, the eagerness
 “ of the forger to establish the point in
 “ view, his solicitude to cut off all doubts
 “ and cavils, and to avoid any appearance
 “ of uncertainty, always prompts him to
 “ use

" use expressions the most explicit, and full
 " to his purpose. No maxim seems to be
 " more certain than this, That a forger is
 " often apt to prove too much, but seldom
 " falls into the error of proving too little.
 " The point which the Queen's enemies
 " had to establish was, " That as the Earl
 " of Bothwell was the chief executor of the
 " horrible and unworthy murder perpetrated,
 " &c. so was she of the foreknowledge,
 " council, device, persuader, and commander
 " of the said murder to be done."
 " But of this there are only imperfect
 " hints, obscure intimations, and dark expressions
 " in the letters; which, however
 " convincing evidences they might furnish
 " if found in real letters, bear no resemblance
 " to that glare and superfluity of evidence
 " which forgeries commonly contain. All the
 " advocates for Mary's innocence, in her own
 " age, contend, that there is nothing in the
 " letters which can serve as a proof of her
 " guilt. How ill advised were Mary's adversaries
 " to contract so much guilt, and to practise so
 " many artifices, in order to forge letters,
 " which are so ill contrived for establishing
 " the conclusion they had in view! Had
 " they

“ they been so base as to have had recourse
 “ to forgery, is it not natural to think, that
 “ they would have produced something
 “ more explicit and decisive?”

“ 2. As it is almost impossible to invent
 “ a long narration, consisting of many cir-
 “ cumstances, and to connect it, in such a
 “ manner, with real facts, that no mark of
 “ fraud shall appear; for this reason skilful
 “ forgers avoid any long detail of circum-
 “ stances, especially of foreign and super-
 “ fluous ones; well knowing, that the more
 “ these are multiplied, the more are the
 “ chances of detection increased. Now
 “ Mary’s letters, especially the first, are
 “ filled with a multiplicity of circumstances,
 “ extremely natural in a real correspon-
 “ dence, but altogether foreign to the pur-
 “ pose of the Queen’s enemies, and which
 “ it would have been perfect folly to have
 “ inserted, if they had been altogether ima-
 “ ginary, and without foundation.”

“ 3. The truth and reality of several cir-
 “ cumstances in the letters, and these too
 “ of no very public nature, are confirmed
 “ by undoubted collateral evidence. Let.
 “ 1. Good. v. 2. p. 1. The Queen is said
 “ to have met one of Lennox’s gentlemen,
 “ and

“ and to have some conversation with him.
 “ Thomas Crawford, who was the person,
 “ appeared before Elisabeth’s commissioners,
 “ and confirmed, upon oath, the truth of
 “ this circumstance. He likewise declared,
 “ that during the Queen’s stay at Glasgow,
 “ the King repeated to him, every night,
 “ whatever had passed, through the day,
 “ betwixt her Majesty and him, and that
 “ the account given of these conversations
 “ in the first letter, is merely the same
 “ with what the King communicated to
 “ him; Good. v. 2. p. 245. According to
 “ the same letter, there was much discourse
 “ between the King and Queen concerning
 “ Mynto, Hiegait, and Walcar; Good. v. 2.
 “ p. 8. 10. 11. What this might be, was
 “ altogether unknown, till a letter of Ma-
 “ ry’s, preserved in the Scotch college at
 “ Paris, and published by Keith, preface
 “ p. vii. discovered it to be an affair of so
 “ much importance, as merited all the at-
 “ tention she paid to it at that time. It
 “ appears by a letter from the French am-
 “ bassador, that Mary was subject to a vio-
 “ lent pain in her side, Keith, *ibid.* This
 “ circumstance is mentioned, Let. 2. p. 30.

“ in a manner so natural, as can scarce belong to any but a genuine production.”

“ 4. If we shall still think it probable to suppose, that so many real circumstances were artfully introduced into the letters by the forgers, in order to give an air of authenticity to their production; it will scarce be possible to hold the same opinion concerning the following particular. Before the Queen began her first letter to Bothwell, she, as is usual among those who write long letters, concerning a variety of subjects, made *notes* or *memorandums* of the particulars she wished to remember; but as she sat up writing, during a great part of the night, and after her attendants were asleep, her paper failed her, and she continued her letter upon the same sheet on which she had formerly made her memorandums. This she herself takes notice of, and makes an apology for it: “ It is late; I desire never to cease from writing unto you; yet now, after the kissing of your hands, I will end my letter. Excuse my evil writing, and read it twice over. Excuse *that thing that is scriblit, for I had na paper zesterday, when I wrait that of the* “ Memorial.”

“ Memorial ;” Good. v. 2. p. 28. These
 “ memorandums still appear in the middle
 “ of the letter ; and what we have said
 “ seems naturally to account for the man-
 “ ner how they might find their way into
 “ a real letter. It is scarce to be supposed,
 “ however, that any forger would think of
 “ placing memorandums in the middle of
 “ a letter, where, at first sight, they make so
 “ absurd and so unnatural an appearance.
 “ But if any shall still carry their refine-
 “ ment so far, as to suppose that the forgers
 “ were so artful as to throw in this circum-
 “ stance, in order to preserve the appear-
 “ ance of genuineness, they must at least al-
 “ low that the Queen’s enemies, who em-
 “ ployed these forgers, could not be ignorant
 “ of the design and meaning of these short
 “ notes and memorandums ; but we find
 “ them mistaking them so far, as to ima-
 “ gine, that they were *the credit of the bearer*,
 “ i. e. points concerning which the Queen
 “ had given him verbal instructions ;
 “ Good. v. 2. p. 152. This they cannot
 “ possibly be ; for the Queen herself writes
 “ with so much exactness concerning the
 “ different points in the memorandums,
 “ that there was no need of giving any
 N 2 “ credit

“ *credit* or instructions to the bearer concerning them. The memorandums are indeed the contents of the letter.”

“ 5. Mary, mentioning her conversations with the King about the affair of Mynto, Hiegait, &c. says, “ The morne [*i. e.* to-morrow] I will speak to him upon that point ; ” and then adds, “ As to the rest of Willie Hiegait’s, he confest it ; but it was the morne [*i. e.* the morning] efter my cumming or he did it ; ” Good. v. 2. p. 9. This addition, which could not have been made till after the conversation happened, seems either to have been inserted by the Queen into the body of the letter ; or, perhaps, she having written it on the margin, it was taken thence into the text. If we suppose the letter to be a real one, and written at different times, as it plainly bears, this circumstance appears to be very natural ; but no reason could have induced a forger to have ventured upon such an anachronism, for which there was no necessity.”

SUCH are the arguments used by the Differtator in support of the genuineness of the

the letters, to which I offer the following answers. And, first, with respect to what the Dissertator calls his external proof, all his arguments may be thus shortly answered.

That Murray, Morton, and their party, the Queen's accusers, produced certain letters in their secret council, and parliament, and afterwards in England before Queen Elizabeth and her council, and asserted them to be genuine, we all know: and likewise it must be remembered, that the exhibition and collation of those letters, was made entirely by the accusers themselves * ;
and

* The way and manner in which these writings were collated by the council at Hampton-court, 15th December 1568, we have in the following words: " And it is to be noted, that at the time
" of the producing, shewing, and reading of all these foresaid
" writings, there was no special choyse nor regard had to the
" order of the producing thereof, but the whole writings lying al-
" together upon the counsell table, the same were, one after an-
" other, shewed, rather by hap, as the same did lye upon the table,
" than with any choyse made, as by the natures thereof, if time
" had so served, might have been. And in the end it was said
" unto the said erles, (Northumberland, Westmorland, Shrewsber-
" ry, Worcester, Huntington, and Warwyk), that in this sort
" they were now made *participant of the whole state of the cause*,
" even as *largely* as the rest of hir Majestie's privy counsell were :
" And therefore they were newly again required to have in re-
" membrance hir Majestie's first charge to have the same kept in
" *secret*

and that upon Mary's asserting them to be forged, and, with the utmost solicitude, supplicating for an inspection of them, her request was refused: and to stop all further questions, Murray and his associates were directly sent to Scotland, with their box and letters, which never afterwards saw the light. Therefore, upon considering impartially both sides of this argument, I may safely leave it to the reader to make the conclusion. I next proceed to consider the internal proofs of the authenticity of the letters.

1. That the eagerness of a forger would have naturally hurried him on to make the

"*secret by them, as hir counsellors in this cause ;*" Ander v. 4. p. 176 ; Good. v. 2. p. 258. As this is acknowledged by themselves to have been the method of exhibiting those papers, Bishop Leslie had certainly reason to challenge the whole party, in the following words : " But (says he) who conferred these letters, I pray you, with your Queene's owne hande-writing ? Dare you to warrant them in this so perilous and weighty a cause, to have bene so exquisitely and so exactly viewed and conferred with all suche dewe circumstances as the Civil law doth require, were it but a civil or money matter ? You wil, peradventure, answer, that there was dewe collation *by you made*. O perfecte and worthy collation ! O meete and apt men for such a purpose ! As though it is not known throughout the world that ye are her most mortal enemics ;" — *Anderson, vol. 1. part 2. p. 19.*

letters

letters quite explicit, with regard to Mary's guilt, of which only dark hints are given in the letters: whence Lesly, and others of the Queen's friends, have inferred, that the letters are no proof of the crimes alledged against her.

It is answered, That the observation may hold good in some cases; and, if the letters in question had been the operation of one single person, it is very possible he might have run into that extreme. But let it be considered, who are the supposed actors in this scene; Murray, Morton, Secretary Lethington, and George Buchanan, a junto, which I believe it will be difficult to parallel in any nation, or at any time together. Can rashness, or want of capacity, be imputed to such a knot of politicians? Yet let it be supposed that even they might err, I have already given one instance, where, in all probability, the compilers of the letters did err, and were hurried on by this eagerness, so common to forgers*, *to wit*, in making these letters, at their very first appearance in the secret council, bear the Queen's subscription, which, upon cool re-

* Pages 6. and 7. of this Inquiry.

flection,

fection, *that a subscription to such "foul matter,"* would render the whole suspicious; they therefore wisely stifled their first production almost in its birth, and, in every after appearance of this supposititious foundling, they chose to exhibit him without a name. In this they well enough foresaw there could be no danger. They knew that the contents of the letters, with their account of the way by which they came into their possession, lame as it was, would answer all the purposes they intended before so well-disposed a judge as Elizabeth.

This we apprehend is a sufficient answer to Dr Robertson's ingenious argument, when applied to the letters: but a more particular one shall now be given, which, allowing the Doctor's argument to be in the general well founded, as I think it is, will convince the reader, that in the present case it is totally misapplied.

The letters, it is true, were the principal evidence which were produced against Queen Mary; but as a part of the same evidence there was likewise produced, at the same time, and under the very same circumstances, certain *French sonnets*, affirmed
by

by Murray and Morton to have been found in the same box, written with the Queen's own hand, and sent by her to the Earl of Bothwell. This French poem must then be considered in the same view and of the same contexture with the letters, and as combining together to prove the criminal correspondence between the Queen and Bothwell previous to the King's murder.

Now let us see if this written evidence, alledged to be under the Queen's own hand, amounts to no more "*than imperfect hints, obscure intimations, and dark expressions:*" — which, according to the learned Doctor, bear no resemblance to that glare and superfluity of evidence which forgeries commonly contain.

To prove the contrary, and that the sonnets produced by Murray and Morton against the Queen, have those very suspicious features strongly marked on them, and that broad glare of forgery so well described above, I shall go little farther than the very first stanza of this sonnet to evince.

*Certane French sonnettis, written be the Quene
of Scottis to Bothuel before hir marriage to
him, and while her husband levit, &c.*

* O Dieux ayez de moy compaffion !
Et m'enseignez quelle preuve certain
Je puis donner, qui ne luy semble vain,
De mon amour et ferme affection.
Helas ! ne'est il pas ja en possession
Du corps, du cœur, qui ne refuse paine,
Ny deishonneur en la vie incertaine,
Offence de parents, ny pire affliction ?
Pour luy tous mes amis j'estime moins
que rien,
Jay hazardé pour luy nom et conscience ;
Je veux pour luy au monde renoncer,
Je veux mourir pour luy avancer.
Que reste il plus pour prouver ma constance ?

Entre ses mains, et en son plein pouvoir,
*Je metz mon filz, mon boneur, et ma vie ;
Mon pais, mes suljettes, mon ame assubjectee. —*

Pour luy aussi je jette mainte larmes,
Premier quand il se fist de ce corps possesseur, &c.

L

* Ye gods have compaffion on me !
And show wha certain proof
I may give, which may not seem to him vain,
Of my love and fixt affection.

Alas !

I think I may very safely ask the candid Doctor, and rely upon his own opinion, if in these verses there are only *imperfect hints*, or *obscure expressions* of the Queen's criminal love? Could the most abandoned of the sex have expressed herself in plainer terms, or in coarser expression, than the author of these low verses has done? Let me likewise ask, Do none of those suspicious marks, which the Doctor rightly says are ordinary indications of a forgery, appear in them; "that eagerness and solicitude" which always," says he, "prompts the forger to avoid any appearance of uncertainty, and to use expressions the most explicit and full for his purpose?" The point in view was to prove, beyond all

Alas! is he not already *in possession*
Of my body, and heart, which refuses neither pain,
 Nor dishonour in life,
 Offence of relations, or the worst of affliction?
 For him I have no regard to friends,
 For him I risk both my fame and conscience;
 I will die to promote him.
 What other proofs then can I give of my constancy?

Into his hands, and in his power,
 I have thrown my son, my honour, and my life,
 My kingdom, my subjects, my subjected soul. —

For him I poured out many tears,
 First when he took possession of my body, &c. &c.

doubt, by the Queen's own confession, her guilty amour with Bothwell. And has not this forger actually done so? Can any thing exceed the eagerness which hurries him on to show, in the very fifth line of his work, the main drift of his whole performance?

" Alas! is not Bothwell in possession of my body?

" Have I not thrown my son, my honour, my life into his hands?

" My kingdom, my subjects, my soul subjected to him.

" What tears have I shed since he possessed himself of my body?" —

How rank does this smell! — Well might Brantome * and Ronfard, who had often seen and extolled the beauty and elegance of several of Mary's compositions, declare, that those French sonnets could not be hers! I own I cannot forbear expressing my amazement, that two such elegant writers, and judges of writing, as Dr Robertson and Mr Hume, should ever have been imposed upon by so coarse and palpable an imposture.

* " Elle composoit de vers, dont je n'ay veu aucun de beaux et tres bien faits, et nullement ressemblant a ceux qu'on lui a mis sus avoir fait sur l'amour du Comte de Bothwell. Ils son trop grossiers et mal polis pour estre sortis d'elle." *Brantome, vol. 1.*

I have been thus full in the discussion of the above general observation of Dr Robertson, which is fine and sensible, as it naturally led me likewise to the detection of another false witness against Queen Mary, in tracing of whom I have taken Dr Robertson for my guide, and by holding up the torch which he has furnished me with, to the countenance of the disguised author of this French poem, I have shown that he truly bears the identical glaring features by which the Doctor has justly described and distinguished a forger *.

I now proceed to consider the other arguments laid down by the Dissertator, in their course.

It is not like the Doctor's usual candour to use an argument from the mouths of Queen Mary's friends against herself, as if they had pleaded that the letters were not conclusive. If any of her advocates have used weak or fallacious arguments in her defence, can these be fairly used to her prejudice? It is impossible, that the most in-

* As these French sonnets were also produced by Morton, and alleged to be found in the same box with the letters, therefore the same objections already made with respect to their first appearance in his hands, applies with equal force to the sonnets, and need not be here repeated.

nocent of mortals, could treat any indignity offered them, with greater detestation and resentment, than the Queen herself has done Murray's accusation, in all her letters to Elisabeth, and to her own commissioners, laid before the English council. Her cause therefore cannot with candour suffer on that account.

Second and third arguments, That the contents of the letters are natural, and the truth of the circumstances mentioned therein, proved by other collateral evidence.

To this I answer, Let us consider the plan that the supposed authors of the letters must necessarily have followed in their work. They were to write letters, as from the Queen at Glasgow, to her paramour, Bothwell, in Edinburgh, which, by certain passages in them, should indicate a criminal correspondence between the Queen and Bothwell; and these to be interwoven with certain other incidents, relating to herself and other persons; and occurrences that really happened while the Queen was at Glasgow. The first thing to be done in prosecution of this plan, must surely have been, to get good information of the Queen's
situation

situation at that time, of what persons were about her, and what occurrences then happened in her presence. For compassing all this they could be under no difficulty. Murray, Morton, and Lethington, were all of them at that time in the Queen's confidence: Lethington was her secretary: none of them therefore could be ignorant that she, at that time, was affected with a *pain in her side*. Besides, as the Earl of Lennox's people were then in the house about the King's person, particularly Thomas Crawford, the person mentioned in the first letter, they must have known every thing that happened to the Queen, or in her company, at Glasgow, only a few months before. This Crawford* was brought before the English commissioners, as a witness for the truth of some of those circumstances mentioned in the letters; which probably

* This noted person appears, on other occasions, to have been a very useful tool of Murray. — In the year 1569, he was underhand made use of by him to accuse Secretary Lethington, as accessory to the King's murder; when Murray at that time had become jealous of Lethington, as suspecting him of being in the Queen's interest, and therefore wanted to get rid of him. *Vide Crawford's memoirs, p. 134.*

were

were all very true, as his declaration as to those circumstances might also be; and yet can be no evidence that the letters were not forged. For it is not to be doubted, that this Crawford, who was placed by the Earl of Lennox as a spy upon the Queen, during her stay with the King at Glasgow, would faithfully relate all that passed to his master Lennox. The contrivers of the letters, then, could not possibly fall upon an abler person than this very Crawford, to inform them of those occurrences and conversations, and afterwards to give testimony to the truth of his own narrative.

On this head, however, I must observe, that perhaps a more just and well founded ground of suspicion cannot arise, than from an over-exact and minute concurrence of witnesses, in every particular: Such precise agreement must always appear to be studied, and presupposes a collusion. — To apply this to Crawford's testimony in the case before us:

The Queen, we see, in her first letter, is made to recite to Bothwell, according to her remembrance, what passed in several conversations between her and the King at Glas-

Glasgow*. The King, according to Crawford's testimony, we must suppose, did most minutely repeat every circumstance of those very conversations to Crawford, agreeing exactly with what the Queen had by herself written in her letter to Bothwell. And, lastly, we must again suppose this Crawford to have been endued with so happy a memory, that at the distance of two years, he could recollect every particular in these conversations, and give his oath to the verity of them. But, as a help to his memory, and to remove suspicion on that account, Crawford has said, that, to the intent he might report the conversations again to his master, Lennox, he did immediately write the same word for word†. Let me ask, why this exactness, to write down what he could tell Lennox, who was himself at Glasgow, by word of mouth, the next minute? And for what end did he keep these writings by him, after he had told them to Lennox? From inspiration or foresight, no doubt, that some years after he was to be called upon to relate over again these conversa-

* Appendix No 1.

† Ander. vol. 4. part 2. p. 169. Good. vol. 2. p. 246.

tions before Queen Elisabeth and her council, to give faith to letters, of whose future existence, at the time that he set down his notes, there was not a probability. These observations, in my apprehension, must justly render this noted person's testimony extremely suspicious. But, on the whole, let his evidence be allowed to be strictly true, still, for the reasons given, it can be no proof that the letters were not spurious.

On this article the Dissertator has unfolded a mighty mystery, in the affair mentioned so often by the Queen in the first letter, concerning Mynto, Hiegait, and Walcar, which the Dissertator is pleased to say was *altogether unknown*, till a letter of the Queen's, to the Archbishop of Glasgow, published by Keith, discovered it to be an affair of importance.

It appears indeed by the Queen's letter to the Archbishop, that this affair was truly a matter of great importance; but that it was *altogether unknown*, until discovered by a letter published by Mr Keith, is directly contrary to the very words of the letter in question. The Queen thus writes to the Bishop: " A servant of zouris,
 " William Walcar, came to our presens —
 " at

“ at Sterveling, and — declarit to us, how
 “ it was — *opinly bruited*, — that the King,
 “ by the assistance of sum of our nobility,
 “ suld tak the Prince our sone, and crowne
 “ him; and, being crownit, his fader
 “ suld tak upon him the government: —
 “ that Walcar being pressit, he nominat
 “ William Hiegait, als wa zour fervant,
 “ for his cheif author. — Quhairupon we
 “ tuke occasion, with diligence, to send
 “ for Hiegait; quha being *inquirit in our*
 “ *counsell*, of his communication had with
 “ Walcar, he denyit, as well apairt, as be-
 “ ing confronted togidder; — onlie he con-
 “ fessit, that he hard of a *bruit* how the
 “ King suld be put in ward *.”

This letter from the Queen is dated the
 20th of January 1567, a day or two before
 she is said to have gone to Glasgow. —
 Now, as we see this story was *openly spread*
abroad before it had come to the Queen's
 ears; and that she had ordered these two
 men, the supposed authors, to be *examined*
before her council, of which Murray, Morton,
 and Secretary Lethington, were members
 at that time, and therefore must have

* Keith, preface, p. 7. and 8.

known every circumstance relating to it; the contrivers of the letters, therefore, could not have fallen upon an incident that was *so well known* at that time as this story of Walcar and Hiegait, which had made so much noise as to be taken notice of by the Queen's privy council.

This is the mighty secret, of which the Dissertator, at the distance of 200 years, assumes to himself the discovery! But we shall soon see a still more curious instance of this gentleman's invention, in explaining a passage of the letters, which he tells us had fairly escaped the penetration of Murray, and his assistants, Lethington and Buchanan, *viz.*

His fourth argument, as to the notes and memorandums in the middle of the first letter.

The ingenious Dissertator looks upon the following discovery as an unanswerable proof of the genuineness of the letters: The Queen is made to say, "Excuse *that* *thing* that is scriblit; I had na paper zesterday when I wrait *that* of the *mementorial*." For lack of paper, then, says my author, she was obliged to continue her letter on a separate paper, upon which she

she had previously written her notes and memorandums ; which is a circumstance, says he, that no forger could possibly have thought of.

I own this observation is ingenious, and shows with what attention the Dissertator has scrutinized this affair. But still I cannot allow him to be more clear-sighted in this matter than his friends Murray, Morton, Secretary Lethington, and Buchanan, whose talents for conducting so dark an affair, I am of opinion, could not be exceeded by any person. To make out his argument, therefore, we must believe, as the Dissertator tells us, that the above four sage politicians, who were possessed of the letters, and knew every circumstance that is mentioned in them, or relating to them, and so recent as within a few months of their supposed date, were so utterly ignorant of their contents, as to make a blunder in explaining their meaning to the commissioners at York, which this ingenious gentleman, at the distance of 200 years, has now discovered, and set to rights. This is rather too much to be granted to him upon a bare conjecture.

The

The Queen is made to refer Bothwell to the *bearer* of the letter, for full information as to several things which she had not time or intention to write fully of. "Upon this point (says she) the bearer will shew you many small things." Again, "This bearer will tell you the rest; and gif I learn ony thing hier, I will make you *memorial* at even*." The letter is made to be written at different times, in the space of two days: and, at the conclusion of each night's writing, there is added a few notes, which are professedly a recapitulation of the preceding heads of the letter; and, at the end of this letter, the Queen is made to say, "Excuse *that thing* that is scriblit, for I had na paper zesterday when I wrait *that* of the *memorial*." I ask the reader now, if, consistent with common language and grammar, can the expressions, "*that thing* that is scriblit,"—and "*that* of the memorial," be with any sort of propriety applied to any part of the very letter which she then continued to write? The word *that*, in plain language, refers to a separate paper: nor is it pos-

* Appendix, No 1.

fible to apply it to any other memorial, than that of the many small things, concerning which she referred Bothwell to the bearer, to explain to him fully. This is the plain sense of the words themselves; and in this sense have Lethington and Buchanan explained them, in their conference with the English commissioners at York. The *memorial* there meant, "is in *the credit* (say they) given to Paris the *bearer**." Can words be more positive than this? But, says our author, these gentlemen were in a mistake as to this, and understood nothing of the matter; for now I have discovered, that *that scribbled writing*, called the memorial, was no other than a part of her very letter, on which she had previously made some jottings, but was now forced to scribble her letter upon it, for want of paper. If we can possibly suppose that to have been the case, all this scribbling upon a paper already blotted with notes and jottings, must undoubtedly have appeared upon the face of the letter itself; in which case it is impossible to suppose, that Lethington and Buchanan, who

* Paper office, Good. vol. 2. p. 152.

saw, and had in their hand at the very time, the original, could have mistaken the sense of this passage in the letter. In short, the whole of this new observation is mere conjecture and conceit, not only unsupported by any evidence, but in direct contradiction to the express and natural sense of this passage, given us by Lethington and Buchanan themselves; who, after all, will, at least, be allowed to have been more intimately acquainted with the contents, and to have understood their meaning better, than even the ingenious Dissertator.

Upon this passage of the memorandums, Mr Hume makes a very strange observation: "In this letter, (says he), which she
 " penned late at night, her paper failed her,
 " and she takes down a memorandum of
 " what she intended to add next morn-
 " ing; *and it is added accordingly*: A circum-
 " stance (continues he) not likely to occur
 " to a forger*." In answer to this, I only desire the reader to look into that part of the letter which follows this memorandum, in which there is *not one word that has re-*

* Hume, vol. 2. p. 498.

lation to these memorandums, except the last respecting Livingston*.

I shall now, in my turn, make one observation from the letter itself, as it stands.

This letter appears to have been the subject of two nights writing; at the end of the first night, the Queen is made to say, she is going to bed, "yet I cease not to scribble all the remains of the paper." Then follows a short note of the heads of what she had written. The night after, when she comes to the very close of the letter, there are added likewise, a few jottings or memorandums, such as, "Remember you of the purpose of Lady Reres," &c. All which is natural. Now, if according to this discovery of the Dissertator, she was obliged to write part of the letter upon her paper of notes, which she had kept for jotting down what occurred; by what strange accident came it to pass, that this paper of notes came to be so luckily divided, as that one half of these notes falls so very *a propos*, as to make an exact summary of the

* Mr Hume, sensible of having no ground for the above assertion, has dropped this passage in the second edition of his history.

Q

preceding

preceding part of the letter, and no more? After which the letter proceeds to the end, when again, a few other notes are as naturally introduced, and with which this letter concludes. From all which, I think, it is pretty plain, that these notes were always meant to pass for what at present they appear to be, a part of the letter itself.

Such are the proofs, by the external and internal evidence, which the Dissertator has produced, and from which he has concluded, that the letters are genuine. That his observations are more ingenious than solid, I have attempted to show, by a natural explanation drawn from themselves, and the account given of them by Murray, Lethington, and Buchanan, at the time when the whole affair was recent, and when these gentlemen had the original letters themselves in their hands: their positive authority, therefore, must outweigh all modern vague conjectures, however fanciful and ingenious.

C H A P. IV.

*Examination of French Paris's confession ;
and proof of its forgery.*

THERE remains still to be considered another piece of evidence against Queen Mary; that is, the confession of Nicholas Hubert, commonly called *French Paris*, servant to the Earl of Bothwell, and mentioned by name in the letters, as the bearer of them from the Queen to Bothwell. This Hubert is the only person who, from his own knowledge, pretended to accuse the Queen. His confession, of the 10th of August 1569, expressly charges her with being in the knowledge of the King's murder.

In order to give a distinct view, by itself, of this testimony, it is necessary to recapitulate some part of the foregoing narrative, which is connected with the story of this Frenchman.

In June 1567, on the Earl of Bothwell's flying from Scotland, his servants, Dalgleish, Hay, Hepburn, and Powrie, were

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all

all made prisoners, and publicly tried before the high court of justiciary at Edinburgh. They were all condemned, and executed, on their own confessions, as accessory to the King's murder; and with their dying breath they vindicated the Queen from any accession to their crime*.

* The evidence of this is unquestionable, no less than the affirmation of nineteen of the first peers in the kingdom, eight bishops, and eight abbots, present in Scotland at the very time, *viz.*

“ The Erlis of Huntlie, Argile, Crawford, Eglinton, Cassils, Rothies, Errol.

“ Lordis, Ogilvie, Fleming, Sommerville, Boyd, Levingston, Sanguhar, Zetter, Herreis, Oliphant, Drummond, Salton, Maxwell.

“ Bithoppis, Saint Androis, Dunkeld, Aberdene, Rofs, Galoway, Brechin, Argile, Illis.

“ Abboutis, Jedburgh, Kinlofs, St Colme, Glenluce, Fern, New-Abbey, Haly-wood, Lyndoris.”

In the instructions and articles to Queen Mary's commissioners, signed by the above personages at Dunbarton, the 12th day of September 1568, their words are, mentioning the above convicts, “ As was deponit be thame quha sufferit deid thairfoir; quha declarit, *at all times*, the Quene our Sovereign to be innocent thairof;” *Cot. lib Goodall, v. 2. p. 359.*

Leslie Bishop of Rofs, in his defence of Queen Mary's honour, addressing the following paragraph to Murray and his faction, says, “ We can tel you, that John Hays of Galoway, that Powry, that Dowglis, and last of al, that Paris, al being put to death for this crime, toke God to recorde, at the tyme of their death, that this murther was by your counsaile, invention, and drift, committed; who also declarit, that they never knew the Queen to be participant or ware thereof;” *Ander. vol. 1. part 2. p. 76.*

As

As for this Frenchman Paris, the supposed confident of the whole intrigue between the Queen and Bothwell, he was carried from Edinburgh, the ordinary seat of justice, to a remote prison in St Andrew's, the place of residence of the Earl of Murray, where he lay for above two years *, during all the time the conferences were carrying on at York and Westminster.

It must be remembered, that Dalgleish was the person in whose custody the Earl of Morton affirmed the box with the letters had been seized: and we have already shown the suspicious conduct of Morton, in declining, when this Dalgleish was examined in his own presence, to question him concerning this fatal box; or to have proved, by the persons who seized him, that the same was truly found with him. That not a word was asked Dalgleish concerning the box with the letters, is certain. His examination is still extant, and shows it. The natural inference from this shyness or taciturnity, appears to be this, either that Morton and his associates had forgot this

* Keith, p. 366.; Throckmorton's letter, 18th July 1567, *Paper-office*.

important

important prize, the seizure of the letters, altogether, or that those letters did not exist at the time of Dalgleish's trial *, and that the whole story of seizing the box in the custody of this Dalgleish was trumped up after his death.

They had still, however, one other witness concerning the letters, no less than this Paris, mentioned by name in the letters themselves, as the bearer of them from the Queen to Bothwell. Here then was a living witness, ready to be produced in public, at a proper time and place. It may be asked, For what purpose was this Paris kept alive, after his fellow-servants had been publicly tried and hanged at Edinburgh? Why was he carried from Edinburgh, the ordinary seat of justice, to a lonely prison in St Andrew's? Was it that the Earl of Murray, then regent of the kingdom, whose principal residence was in that place, which was entirely at his devotion, might be at more liberty to practise upon this poor creature; and, by promises, or the force of torture or hunger, try if he could be made a steady witness in the cause †?

* *Vide* the note page 20th of this Inquiry.

† Robertson, Dissertation p. 17.

Though

Though we should even suppose, that Paris, in the hurry of other more weighty business, might have been totally forgot in his dungeon, by Murray and his friends, while in England ; yet Murray's conduct in relation to what follows, cannot be justified.

Queen Mary, as we have seen, had publicly accused Murray, and asserted in the strongest manner, that the letters were forged by him and his faction ; and she undertook to prove this from the letters themselves. To cut short this matter, however, the Earl of Murray and his adherents go off in haste, with their box and letters, to Scotland *. Before their departure, Queen Mary complains to Queen Elisabeth for
 “ allowing them to depart the realm, not
 “ abiding to hear the defence of her innocence, *nor the trial and pruis of thair detection, which was offerit to prove them guilty of the samen crime* †.—To which
 “ it was answerit, That the *Earl of Murray has promised—to return again when he sould be called for.*” This was on the 12th of January 1568-9, and within

* *Vide* p. 37.

† *Vide* p. 38. and 39.

seven months after this Paris was hanged by Murray at St Andrew's, *viz.* in August that same year 1569.

Now, let any impartial person consider well the conduct of Murray in this matter: He himself is publicly accused by the Queen as one of the King's murderers; she undertakes to prove the crime against him by a fair trial: How does he defend himself against this so public a challenge given him in the face of the world? He denies the charge, but, in the mean time, begs leave to go home. Would innocence have acted in this manner? Let us follow him, however, into Scotland, and trace his behaviour there, where fortune had been so favourable, as to throw into his hands the only person in the world who (if Murray was truly innocent, and the Queen guilty) could have cleared him, and satisfied every mortal of her guilt. This person was French Paris, who, according to the letters, was the confident of the whole intrigue between the Queen and Bothwell, relating to the King's murder. Could there have happened a more lucky event than this, to a man lying under the load of so criminal an accusation, as that of being an accomplice
in

in the murder of his sovereign? Let us now see the method Murray takes to wipe off this foul aspersions, and to avoid all suspicion of practising, by the force of torture or promises, upon a poor, ignorant, friendless creature, then in his hands, to mould him to his purpose. Does he send him to London to be examined before the English council, as his other witnesses, Crawford and Nelson, had been? Does he even venture to produce him before his own privy council at Edinburgh, to be questioned there? Or, lastly, does he bring him to a public trial, in the ordinary form, before the high court of justiciary at Edinburgh, as was allowed to Dalglish, and the other servants of Bothwell? No! As to these last, the experiment had not at all succeeded. In spite of torture, they had, with their dying breath, spoke out the truth, and acquitted the Queen*. This man, Paris, was the last card Murray had to play; a new method, therefore, must be followed with respect to him. He was sequestered from public view, in an obscure dungeon in Murray's citadel of St Andrew's,

* *Vide* p. 124.

and at last condemned by the Earl of Murray himself, in a manner no body knows how: and several months after his death, a confession in his name, taken clandestinely, without mentioning any person who was present when it was made by Paris, is privately sent up to London, and given in to Cecil, after all the conferences were over, accusing the Queen in the blackest terms, and extolling the Earl of Murray to the skies. And to crown the whole, this precious piece of evidence is kept a profound secret from the Queen and her friends, who, as we shall by and by prove, never once saw or heard of this confession. — Where facts thus speak aloud, reflections are needless.

All that remains of this poor creature, are two confessions, one on the 9th, and the other on the 10th of August 1569. The first, said to be the original, and marked on some of the leaves with the initial letters of his name, thus, N, is still extant in the Cotton library*. This confession loads Bothwell with the murder, but mentions nothing of the Queen or the letters. The other confession, of the 10th of Au-

* Goodall, vol. i. p. 145.

gust,

guft, exprefsly charges the Queen as acceffory to the whole: of this laft we have a copy, attested by one Alexander Hay, a notary, and clerk to Murray's privy council;* and which, we fee by an authentic paper, was fent to London by Murray in October 1569, as a further proof of his accusation againft the Queen, after all the conferences were over†.

That thefe confessions were kept fecret, and never fhown to Mary, is certain from the following circumftances.

The only cotemporary writers who mention the condemnation and death of this Frenchman, are Leſly Biſhop of Roſs, and the author of the manuſcript history of Scotland, during the reign of Queen Mary, and the four Regents, Murray, Lennox, Mar, and Morton, published by Crawford, hiftoriographer to Queen Anne. This laft author, who was at that time a living witnefs, mentions the condemnation of Paris in theſe words: "The Regent" (Murray) proceeded from Stirling to "St Andrews, where Nicknavin, for for-

* Ander. vol. 2. p. 192. Good. vol. 2. p. 76.

† Cot. lib. C. 1. fol. 326. Anderſon's general preface, p. 19. Good. vol. 2. p. 84.

“ cery, was burnt ; and *Paris*, a Frenchman,
 “ was hanged for the murder of the late
 “ King, *though he denied the fact* *.”

Lesly, the other cotemporary writer who mentions this Frenchman, was, as we have seen, one of Mary’s commissioners, and at that time in the character of her ambassador at London. He drew up an apology, intituled, “ A defence of the honour of “ Queen Mary,” which was printed at London in the end of the year 1569, soon after the execution of Paris †.

The Bishop, in mentioning this man, uses the following words: “ As for him
 “ that ye *surmise* was the bearer of the let-
 “ ters, and whome you have executed of
 “ late for the said murther, he, at the time
 “ of his said execution, took it upon his
 “ death, as he should answere before God,
 “ that he never carried any such letters,
 “ nor that the Queene was participant, nor
 “ of counsayle in the cause ‡.” From the

* Crawford’s Memoirs, p. 127.

† So Anderson says, who had seen a copy of this first edition; and, it is plain, it must have been at least some time before the death of the Earl of Murray, which happened on the 23d January 1569-70, since the Bishop, in his book, addresses the Earl as then living. *Ander. v. I. part 2. p. 19.*

‡ *Ander. v. I. part 2. p. 19.*

words, "the person whom ye *surmise* was "the bearer," it is plain, that neither the Queen nor Lesly had either seen or heard of this confession of Paris, which is made to acknowledge this fact, of his being the bearer of the letters, in express terms. And the above passage from Crawford, fully explains the good reason that Murray then had, for keeping this pretended confession of Paris, a profound secret to all, except his own confederates, and Secretary Cecil, *viz.* because it was at this time universally known, by every body in Scotland, that this very Paris, at his execution, had publicly given the lie to any pretended confession, by solemnly denying the fact.

Here then, we see, are evidences that directly contradict one another, *viz.* Lesly, and the author of Crawford's history, who were both living witnesses at the time, on the one side, and this clandestine confession of Paris on the other. If either of these testimonies be true, the opposite, of consequence, must be false. Let us endeavour, by external circumstances, to find out on which side the truth stands.

To begin with the Bishop of Ross: and in order to ascertain the proper degree of credit

credit to be given to his public assertion of the above fact, it may not be improper to give a short sketch of his character, from a letter of Queen Elifabeth to Queen Mary, 21st December 1568. After mentioning Mary's other commissioners, "We cannot" (says she) but specially note to you, "your good choice of the Bishoppe of" "Rosse, who hath not only faithfully and" "wisely, but also carefully and dutifully," "for your honour and weale, behaved" "himself, and that both privatly and publickly, as we cannot but in this sort" "commend him unto yow, as we wish" "yow had many such devoted discrete" "servants; for, in our judgment, we think" "ye have not any in loyaltie and faithfulness can overmatch him. And this" "we are the bolder to wryte, considering" "we take it the best trial of a good servant to be in adversitie, out of which we" "hartely wish yow to be delivered, by the" "justification of your innocency *."

* Paper office. Ander. vol. 4. p. 184 Good. vol. 2. p. 270.—How different is this from the character the Dissertator is pleased, without any authority, to give us of this *faithful and discreet servant* of Queen Mary, viz. "That he was a man heated with" "faction!" *Dissertation*, p. 5.

The Bishop and Crawford's account of Paris's dying words, it may be said, are no more than their assertions: they say it, however, not in a whisper, but as a thing well known in Scotland at the time of Paris's execution; and Lesly proclaims and publishes it to the world in print, recently after Paris's death. This was giving an opportunity to the Queen's accusers, to have as publicly contradicted this story, if it was false, by immediately exposing Paris's confession, which was in their hands; and supporting its authority, by naming the persons who were present at his examination.

Let us turn now to the other side, and observe the part which Murray and his confederates acted upon this occasion. Queen Mary's ambassador thus affirming in the face of the world, that this man, Paris, had, with his dying breath, and in the most solemn manner, asserted her innocence, was surely a challenge to her accusers to have refuted the assertion, by producing Paris's confession, if genuine, and fit to bear the light. They did it not, however; and the only answer made to the Bishop's vindication of Queen Mary,

was

was an order from Queen Elisabeth to suppress the book altogether*, on pretence of its containing some dangerous points, with regard to Mary's title to the crown of England. A second edition was, however, soon after published of the Queen's defence, at Liege, in the year 1571 †.

In answer to this it may be said, That, by suppressing this defence of the Queen, Murray and Morton had no opportunity to see this assertion with regard to Paris. This, however, can scarce be supposed. The book was printed, and copies of that very first edition are still extant.

The order for suppressing it was from Elisabeth, and consequently the book must have been in her hands, and in the hands of her ministers. Murray and Morton had always a minister at London, to negotiate their affairs at that court; and by an authentic paper, still extant in the Cotton library, we see, that in October 1569, Mac-

* Ander. v. 1. Preface to the defence of Queen Mary's honour, p. 4.

† Anderson, v. 1. part 2. preface p. 12. tells us, he had seen both first and second editions of the Bishop of Ross's defence, and that he published his edition from the last, in 1571, as being much fuller in the preface than the first edition, and because of some other remarkable alterations that are in it.

gill, Abbot of Dunfermline, was sent up to London, as minister from the Earl of Murray, and carried up with him this pretended confession of Paris*. Nay, the Earl of Morton himself, as commissioner appointed by the Scotch Regent Lennox, for managing a new treaty with Queen Elisabeth, to depose Mary altogether, was himself at London in the beginning of the year 1571, at which time, it cannot be doubted, that both these ministers must have seen this defence of Queen Mary. What possible reason, then, can be assigned for this reservedness, this determined silence of Murray and Morton, with respect to this assertion of the Bishop, as to Paris's dying testimony of Queen Mary's innocence, when they could at once have crushed it, by publishing the genuine confession said to have been made by Paris himself, which they then had in their pocket? Two reasons, very different indeed from each other, may be imagined: Either that this confession of Paris, in Morton's custody, was not fit to bear the light; Or, that some small

* Cot. lib. C. 1. fol. 326. Anderson's general preface, p. 19.
Good. vol. 2 p. 84.

regard for Mary's fame made them conceal it from her. That this last was not the case, we shall see from what follows.

In this very year 1571, Buchanan published his famous work, intitled, "A detection of the doings of Queen Mary;" a work that reflects ingratitude and dishonour upon his name.

In this libel against the Queen, published both in the Latin and in the Scotch language, nothing is forgot that could serve to blacken her. The whole intrigue betwixt her and Bothwell, her repeated attempts to poison the King, and his actual murder at last by her contrivance; all, in short, that malice or calumny could invent to render her odious, is therein set forth: and, as a voucher or proof of the whole, the famous letters by her to Bothwell are printed at full length. Nay, that nothing might be neglected to give credit to this book, certain pretended confessions of Dalgleish, Powrie, Hay, and Hepburn, Bothwell's other servants, are printed along with it; and yet this material confession of Paris, though later in date, is omitted. That so precious a piece of scandal might not be confined to Scotland, this book, with the letters,

letters, was, at the very same time, printed at London, and dispersed over the kingdom. But what is most surprising, although Paris is often mentioned therein, as the confident of the whole scene between the Queen and Bothwell, with respect to the King's murder; and that Bishop Lesly, in his printed apology for Queen Mary, had affirmed in the face of the world, as a fact universally known, that Paris, at his execution, had publicly asserted the Queen's innocence*; although the letters give only some suspicious, and dark hints, from which the Queen's knowledge of the murder is inferred, whereas Paris's confession expressly charges her as the contriver of it, and is the only evidence that does so: yet in Buchanan's book there is not the least mention made of any such confession. Buchanan lived many years after this; his *De te Etion* underwent several editions; nay, he wrote his history at large, which was not published for several years after this period; and although he there again makes mention both of Paris and the letters, yet not one word is said of any such confession

* Ander. v. 1. part 2. p. 19. Vide p. 131.

made by this person to the prejudice of the Queen.

We have already said, that a copy of this confession of Paris against the Queen, attested by Alexander Hay, is extant.

This Hay appears to have been Murray's active instrument in the transactions of those times, and by degrees he arrived to be clerk to his secret council. Here we see him attesting a copy of this confession of Hubert's, without witnesses, and upon his single assertion only. We have extant a very curious letter of the same Hay to John Knox, which is dated the 14th day of December 1571, wherein he thus writes, " They have set out in Ingland our Queen's lyfe and process, baith in Latin and Inglish, quhairin is contenit the discourse of hir tragical doingis; the process of the Erle Bothwell's clenging, hir sonnetis and letteris to him, the depositionis of the persounis execute, and the cartellis efter the King's murthour. *In appeirance thay leive naithing unset out tending to hir infamie**." This same Hay, we see, had attested the copy of Pa-

* Good, v. 2. p. 371.

ris's confession on the 10th of August 1569, which was sent to London that year; and yet in this letter, wrote to his friend John Knox, though he knew well that his own copy of this confession was in the hands of the very same people who had published the above scandalous collection against the Queen; yet so well does he know, from the very nature of his own manufacture, that this confession of Hubert's durst not as yet be exposed to the public, that, cautious of mentioning that piece in his collection, he sinks it altogether, as if no such paper had existed. He tells his friend, that the above collection contained every thing that could tend to the Queen's infamy, when at the same time he knew well, that the blackest piece of all, with which he himself had furnished them, was omitted. From all these circumstances, the violent presumptions that arise from their carrying this poor ignorant stranger from Edinburgh, the ordinary feat of justice; their keeping him hid from all the world, in a remote dungeon, and not producing him with their other evidences, so as he might have been publicly questioned; the positive and direct testimony of the
author

author of Crawford's manuscript, then living, and on the spot at the time; with the public affirmation of the Bishop of Ross at the time of Paris's death, that with his last breath he had vindicated the Queen*; the behaviour of Murray, Morton, Buchanan, and even of Hay, the attester of this pretended confession, on that occasion; their close and reserved silence at the time they must have had this confession of Paris in their pocket; and their publishing every other circumstance that could tend to blacken the Queen, and yet omitting this confession, the only direct evidence of her supposed guilt; all this duly and dispassionately considered, I think, one may safely conclude, that it was judged not fit to expose so soon to light this piece of evidence against the Queen, which a cloud of witnesses, living, and present at Paris's execution, would surely have given clear testimony against, as a notorious imposture.

Thus far the external evidence points against this pretended confession of Paris. We shall next examine the internal texture and construction of it, as it now appears

* Crawford's Memoirs, p. 127. Ander. v. 1. part 2. p. 19.

to us, in order to satisfy the reader's curiosity.

Paris says, " That the first time that he entered into trust or credit with the Queen, was at Kalendar, in her road to Glasgow, where she gave him a purse of three or four hundred crowns to deliver to the Earl of Bothwell *." Here it may be asked, why did she not give it to Bothwell himself, who was at Kalendar with the Queen, as Paris says afterwards in this confession?

* 1. " Interrogué, Quant premierment il entra en credit avec la Royne? Resp. Que ce fust comme la Royne fust a Kalendar allant a Glasgow, qu' alors elle luy baylla une bourse la ou il avoit envyron ou 300 ou 400 escus, pour la porter a Monsieur de Boduel. *Ander. v. 2. p. 192.*

2. Que le Roy la vouloyt *bayser*, mais elle ne pas voullu de peur de sa maladye, chose que Rayres en tesmoigneroit bien: & plus (ce dict elle) vous direz a Monf. de Boduel que je ne vais jamais vers le Roy que Rayres n'y est, & voyft tout ce que je fais. *ib. p. 193.*

3. Comme Paris vouloit dresser le liét de la Royne en sa chambre qui estoit droicte soubz la chambre du Roy, aynsi que Monf. de Boduel luy avoit commandé. —

4. Je prins la hardiesse de luy dire, Madame, Monf. de Boduel m'a commandé de luy porter les clefs de vostre chambre, & qu'il a envie d'y faire quelque chose, c'est de faire *sauter* le Roy en l'air, par pouldre.

5. Que Monf. Boduel luy avoit dict, que toutes les nuits Lady Reires iroit bien tard le querir pour l'amener a la chambre de la royne. *p. 196. & 203.*

2. That two or three days after, when the Queen sent him from Glasgow, with the first letter to Bothwell, she desired him, by word of mouth, to tell Bothwell, " That the King desired to kiss her, but " that she refused him, for fear of his ma-
" lady, as Lady Reres would testify." What a shocking improbability ! that the Queen should tell this from her own mouth to a servant ! And further, says she, " Tell " Bothwell, that I won't go near the King, " unless in company with Reres, who shall " see all that I do."

3. " That as he, Paris, was dressing, or " putting in order, the Queen's bed in her " chamber, which was directly under the " King's chamber, as Bothwell had com-
" manded," &c. *A very decent office, truly,* this fellow had got into about the Queen's person.

4. " That he took the liberty to say to the Queen, Madam, Monsieur Bothwell hath commanded me to bring to him the keys of your chamber, as he wants to do something there ; that is, to blow the King in the air with powder."

5. " That Bothwell told him, That Lady Reres walked out every night, very late,
in

in quest of him, to conduct him to the Queen's bed-chamber, and that he was present when Lady Reres came on this errand."

Such is the grossness, and such the absurdities, to be found in every part of this noted confession.

The just remark made by the Dissertator, That the eagerness of forgers generally makes them detect themselves, by overcharging their work, is verified to the full extent, by applying it to this piece. Their caution, in not making the Queen, in her letters, speak such plain language as this person does, was wise: here they thought there was no danger, in putting the grossest words in his mouth. His character, they knew, was low enough to bear it; and they were resolved to make him speak out, so as to leave no doubt of the Queen's infamy, as a prostitute! and a murderers!

Having thus examined the external and internal appearance of this notable piece, it is but justice to shew what arguments have been used on the other side, in support of Paris's confession against the Queen; which I shall give in the Dissertator's own words.

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" This

“ This person (says he) was twice exa-
 “ mined ; and the original of one of his de-
 “ positions, and a copy of the other, are
 “ still extant. It is pretended they are
 “ both forgeries. But they are remark-
 “ able for a simplicity, and *naïveté*, which
 “ it is almost impossible to imitate : they
 “ abound with a number of minute facts
 “ and particularities, which the most dex-
 “ trous forger could not have easily as-
 “ sembled and connected together, with
 “ any appearance of probability ; and they
 “ are filled with circumstances, which can
 “ scarce be supposed to have entered the
 “ imagination of any man, but one of
 “ Paris’s profession and character. *But,*
 “ *at the same time, it must be acknowledged,*
 “ *that his depositions contain some improbable*
 “ *circumstances. He seems to have been a*
 “ *foolish talkative fellow, the fear of death,*
 “ *the violence of torture, and the desire of*
 “ *pleasing those in whose power he was,*
 “ *tempted him, perhaps, to feign some circum-*
 “ *stances, and to exaggerate others.* To say
 “ that some circumstances in an affidavit
 “ are improbable or false, is very different
 “ from saying that the whole is forged. I
 “ suspect

“suspect the former to be the case here,
“but I see no appearance of the latter*.”

In answer to this, we must observe, that it has been always judged an unlucky circumstance in any person's testimony, that any one particular of it is found to be inconsistent with truth: the smallest deviation in that point, never fails to render the whole suspicious. In the present case, when the several objections arising from the external view of the testimony, are taken into consideration, the above rule of judging must operate with double force. Nor does the reason assigned by the Dissertator, for Paris's mixing truth with improbabilities, “Because he meant thereby to please the party,” appear in the least satisfactory. If this reason is good for any thing, it proves too much. If Paris had a view to please them, by telling falsehoods, that surely might have tempted him to accuse the Queen falsely, as the most grateful thing he could do to them: or if the *fear of death*, and the *violence of torture*, could extort a false confession from this poor wretch, we must certainly believe, that the whole

* Dissertation, p. 17.

of his narrative against the Queen is a lie, from beginning to end. Here might we rest the matter against the Dissertator; but if we are to judge of this confession from the absurd and improbable circumstances, that are contained in it, we can scarce believe that this creature Paris himself could have been the author of this narration. For although he might have been tempted by the hopes of life to accuse the Queen falsely, yet his avowed confession of being associate in the horrid circumstances of the murder, tended infallibly to his own certain destruction, by pointing himself out as a wretch deserving the most cruel death, without the least compassion.

The Dissertator says further, that “Paris’s confessions are remarkable for their “simplicity and *naïveté*.” Which is inconsistent with what he immediately after this owns, that Paris seems to have been a *foolish talkative fellow*. And they abound, continues he, with a number of minute facts and circumstances, which could scarce have entered the imagination of any other man. I shall very readily grant, that many of these facts might really have been true. They do not affect the Queen, and might

might have possibly been told by Paris. But that can be no argument that the confessions, as given out in his name several months after his death, are genuine. For, as we have already observed, the plan of every forger, in such a case, must always be, to ground his work upon some certain facts that all the world knows to be true, and to intersperse truth with falsehood.

Let us further examine the authenticity of this confession of the 10th of August.

The title it bears is in these words:

“ A Sanctandre, le 10 jour d'Aoust 1569.

“ Nicholas Howbert dict Paris, a este interrogué sur les articles & demands qui s' ensuivent, &c. & premierement.”

Then follow the questions that are put to him, with his answers, all in French: but by what person, or what authority, he was thus questioned and examined, does not appear. From which it is evident, that that examination and confession was not judicial. And, what is most surprizing, it does not mention any person whatever that was present when it was taken. What can we think of so lame a piece of evidence? This examination could not have been made at Paris's trial, otherwise it must have expressly

pressly said so; likewise it must have mentioned the court of justice, and the judge, in whose presence, and by whose authority, it was taken.

Let us next compare this examination with the judicial examinations and confessions of Dalgleish, Hay, Hepburn, &c. taken before the high court of justiciary at Edinburgh; we evidently see there the difference betwixt a judicial testimony, and this of Paris, taken in a clandestine manner, without the authority of a judge, and by no body knows whom. Dalgleish's examination begins thus: "Apud Edinburgum, 26 Junii, an. Dom. 1567. præsentibus Comitibus de Mortoun & Athol, Præposito de Dundee, & Domino de Grange *."——John Hay's examination begins thus: "Apud Edinburgum, 13 die mensis Septembris, an. Dom. 1567, in presence of my Lord Regent, the Erles of Morton and Athol, the Lairds of Lochleven and Petarow, Mr James Magyll, and the Justice-Clerk †."——John Hepburn's examination thus: "Apud Edinburgum, 8 die mensis Decembris, an. Dom. 1567. in presence of my Lord Re-

* Anderfon, vol. 2. p. 173.

† Ibid, vol. 2. p. 177.

“ gent,

“gent, the Erle of Athol, the Lord Lindsay, the Laird of Grange, and the Justice-Clerk *.”——And at the end of these depositions is the attestation and subscription at large, of Sir John Ballendan, Lord Justice-Clerk, bearing, that the principal depositions were in the records of the books of the high court of justiciary †.

What marks then of authenticity are about this paper of Paris? Not the smallest, as far as can be seen at this day, excepting the single assertion of Hay, Murray’s clerk, who, as a notary, attests this paper to be a true copy of an original, signed or marked by Paris himself, and read to him. All the world knows, that a copy of any paper, attested by a notary, requires the solemnity of two reputable witnesses to give faith to the notary’s attestation. To this paper, however, though of the greatest importance, there are no witnesses. The whole then depends entirely upon the naked assertion of this noted clerk of Murray alone, contradicted, as we have seen, in the most public manner, by all the world, and even tacitly disavowed by himself.

* Anderson, vol. 2. p. 183.

† Ibid. vol. 2. p. 188.

As for the pretended declaration of the 9th of August, since that only charges the Earl of Bothwell, and not the Queen, with any accession to the murder, it does not fall within my plan, although liable to the same objections with the above pretended confession against the Queen. Besides, Mr Goodall has, with very good reason, shown it likewise to be an imposture *.

Before we conclude, we must again beg leave to take notice of Mr Hume's arguments in support of this noted piece of evidence of Paris: "It is in vain (says he) at present to seek improbabilities in Nicholas Hubert's dying confession, and to magnify the smallest difficulty into a contradiction. It was certainly a *regular judicial* paper, given in regularly and judicially, and ought to have been canvassed at the time, if the persons whom it concerned had been assured of their own innocence †."

Here we see a short, but very positive decision against all and every objection that possibly can be brought against Paris's confession. But upon what does this author

* Goodall, vol. 1. p. 137.

† Hume, vol. 2. p. 500.

ground his sentence? Upon two facts affirmed by him which truly never did exist: *1st*, That the confession was a judicial one, that is, taken in presence, or by authority of a judge; and, *2dly*, That it was regularly and judicially given in; that must be understood, during the time of the conferences before Queen Elisabeth and her council, in presence of Mary's commissioners; at which time she ought to have canvassed it, says our author, if she knew her innocence.

That it was not a judicial confession, is evident: the paper itself does not bear any such mark; nor does it mention that it was taken in presence of any person, or by any authority whatsoever; and, by comparing it with the judicial examinations of Dalglish, Hay, and Hepburn, in p. 150. it is apparently destitute of every formality requisite in a judicial evidence. In what dark corner, then, this strange production was conceived, our author may endeavour to find out, if he can.

As to his second assertion, That it was regularly and judicially given in, and therefore ought to have been canvassed by Mary during the conferences; we have already seen that this likewise is not fact.

The conferences broke up in February 1569; Nicholas Hubert was not hanged till August thereafter, and his dying confession, as Mr Hume calls it, is only dated the 10th of that month: How then can this gentleman gravely tell us that this confession was *judicially given in*, and ought to have been at that very time canvassed by Queen Mary and her commissioners *? In answer then to Mr Hume, As the Queen's accusers did not chuse to produce this material witness Paris, whom they had alive, and in their hands, nor any declaration or confession from him at the critical and proper time for having it canvassed by the Queen, I apprehend our author's conclusion may fairly be used against himself, That it is in vain at present to support the improbabilities and absurdities in a confession, taken in a clandestine way, no body knows how; and produced after Paris's death, by no body knows whom; and from all appearance destitute of every formality requisite and common to such sort

* I spare reflections upon this head, as Mr Hume, in the second edition of his history, has thought fit to drop his arguments altogether in support of so glaring a forgery as this of Hubert's confession, by keeping out the paragraph above inserted.

of evidence. For these reasons, I am under no sort of hesitation to give sentence against Nicholas Hubert's confession, as a gross imposture and forgery.

C H A P. V.

Summary and trial of the evidence.

THE learned and judicious Bayle has made a very just observation on the case of Queen Mary and her adversaries :
 “ One of two things (says that author)
 “ must have been the case ; either that
 “ they who forced that princess out of her
 “ kingdom, were the greatest villains in
 “ nature ; or that she was the most infamous
 “ of women. These are two scales of
 “ a balance, equally poised ; you cannot
 “ load the one, without lightening the other
 “ precisely to the same degree : In the same
 “ manner, whatever serves to acquit the
 “ Queen, aggravates her enemies in the
 “ same proportion ; and whatever serves to
 “ load the Queen, extenuates their crime
 “ in a like degree *.”

Here then we have a just balance, in which the case of Mary and her accusers may with certainty be weighed, and by

* Bayle's Hist. Dict. vol. 2. p. 181.

this standard judged and determined with great exactness.

The weights to be put in the scales, are the proofs which were exhibited by the Earls of Murray and Morton, of the crimes they charged their Queen with ; which are likewise to be considered as the proofs of their own justification, for rising in arms against their sovereign ; for imprisoning her ; and, finally, for the long train of her calamities, and her death ; all consequent to their rebellion.

The scales being now fairly loaded, and the balance exactly poised, let us carefully examine the weights, before we pretend to abstract one grain from the scales. One scruple taken from either of them, must alter the poise. If then we take out the heaviest weight, and put it in the opposite scale, that directly preponderates, the other flies up.

We shall, therefore, begin with examining the heaviest weight in the scale against the Queen, that is, her letters to Bothwell : And, to avoid all imputation of partiality, let us try them according to the rules of equity, as in a court of justice, by hearing both sides. We begin with the accusers.

1. The

1. The Earl of Morton at first produced those letters, and affirmed, on his word of honour, that his servants seized them in the custody of George Dalglish, one of Bothwell's servants, who had brought them out of the castle of Edinburgh.

2. The Earls of Murray and Morton affirm, on their honour, that they are the hand-writing of the Queen, both in their own secret council, and in the Regent's parliament in Scotland, and before Queen Elizabeth and her council in England.

3. They are produced at York and Westminster to the English council, and compared with other letters of Mary's hand-writing, and appear to be similar to them.

4. And lastly, Several of the incidents mentioned in the letters themselves, such as the conversations between the King and Queen at Glasgow, are, by Crawford, one of the Earl of Lennox's vassals, affirmed, upon oath, to be true.

Such are the proofs brought in support of the letters. Let us now turn to the other side, and hear what are the answers, and the objections made to them on the part of Queen Mary.

I. Queen

1. Queen Mary denies the letters to be her hand-writing, and asserts them to be forged by her accusers, Murray, Morton, and Lethington; and offers to prove this.

2. Morton's bare affirmation of the way in which the letters came into his hands, as he is a party, can never in equity be regarded. Nay, the letters appearing first in his hands, was of itself suspicious. Besides, his smothering the evidence of Dalgleish, or forbearing to interrogate him judicially, how he came by these letters, which would have put this affair in a true light; and his neglecting to examine his own servants publicly, who seized Dalgleish with the box, as to what they knew of that affair; and, in place of the legal declaration of those who were the only proper witnesses to prove this fact, obtruding his own affirmation only: these omissions, I say, double the suspicion, that he himself, and his faction, were the contrivers of the letters.

3. The affirmation of Murray and Morton on the authenticity of the letters, both in Scotland and England, can bear no greater degree of credit, than Queen Mary's denial, and the affirmation of herself, and
most

most of the nobility of Scotland*, that those letters were forged.

4. The similitude of one hand-writing to another, is such a proof as no man can be certain of: far less in the case of these letters, appearing in so clandestine a way, in the hands of Morton, the Queen's inveterate enemy and accuser. Add to this, what is affirmed by Mary, that her enemies had often counterfeited letters in her name; which is corroborated by a contemporary author, who relates it as a well-known fact, that Lethington her secretary had often practised this vile fraud†.

5. That several of the incidents mentioned in the letters, might be very true, is not denied. The plan of the forgers was surely to intersperse truth with falsehood. Crawford's testimony on the truth of several of the incidents mentioned in the letters might therefore be true, and yet the letters themselves might be forged.

But the objections to the letters on the part of the Queen, are of a different nature.

1. The letters, as exhibited by Murray and Morton, wanted the dates, place from

* Cot. lib. Good. vol. 2. p. 360.

† Crawford's Memoirs, p. 100.

which

which they were written, the subscriptions, seals, and addresses. Could any judge or jury, then, have admitted these letters as authentic, and as written by Queen Mary to the Earl of Bothwell, upon the bare word of her accuser?

2. The only proof they could have brought to support their affirmation, was by the oath of Hubert, that he got the letters from the Queen's own hand, and delivered them to Bothwell; and by Dalglish, that he found them in the Earl's repository in the castle of Edinburgh, and was carrying them to him. It is impossible, therefore, to frame any plausible reason, why these two persons were not called upon to prove these facts, but this only, that there was not a word of truth in the story.

3. The letters are produced in public, under different dresses. Before the secret council, they bear to be subscribed by the Queen's hand; in their second appearance, before Regent Murray's parliament, they want the subscription altogether. This is proved by the acts of council, and of parliament, in the registers.

4. While the conferences were going on at York, the letters were privately, and in

secret conference, shown by Lethington and Buchanan, to the English commissioners, but carefully concealed from Queen Mary and her commissioners.

5. The Queen, on the first hearing of those letters, earnestly supplicates to have inspection of the originals, and to be allowed copies; from which she offers to prove them to be forged and spurious. Both requests are refused to her, the letters are delivered back to her accusers, and to her dying day she never could get a sight of these originals, or attested copies of them.

6. The letters, of which copies only are now extant, are, to a demonstration, proved, and forced to be acknowledged, even by the writers against the Queen*, to be palpable translations from the Scotch and Latin of George Buchanan.

And lastly, That Murray and Morton, the Queen's accusers, in order to make good their charge or accusation against the Queen, have produced false and forged evidence, *viz.* Hubert's confession, which we have proved to be a forgery: From whence the same presumption, had we no

* Hume, vol. 2. p. 499. Robertson, vol. 2. Diss. p. 25.

other proof against the letters, must arise that they are forged likewise*.

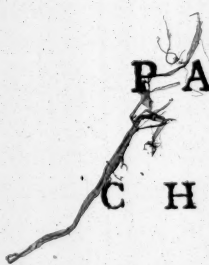
Such are the proofs on both sides for and against the authenticity of the letters. Let us now put the question to any impartial person who understands the nature of evidence, Would those letters, found in the custody of Morton, destitute of subscription, seal, and address, and in the face of so many other unsurmountable objections, have been sustained as genuine authentic writings, in any court of law or justice, upon the bare appearance or similarity of the Queen's hand-writing, and the naked word of Murray and Morton the accusers? I am not afraid of the imputation of rashness, when I venture to say, that at this day, I am convinced that no impartial jury, or judge, could, upon conscience, have given judgment for these letters as genuine, and returned a verdict and sentence in their favour as such.

If this is the case, I think, with Monsieur Bayle's approbation, he himself hold-

* We may also instance the love-sonnets, and a still more palpable forgery of a paper produced by these associates to Queen Elizabeth's three commissioners at York, which, in the second part, we shall prove clearly to be so.

ing the balance, I may venture to take this weight from Murray and Morton's scale, and put it into the Queen's. The case then is determined at once, the scale is turned in favour of the Queen. But still there remains another weight against her, that is, Hubert's confession: this we have so recently proved to be a forgery, that it is needless here to recapitulate the objections to a piece of manufacture abounding with so many absurdities and improbabilities, (as Dr Robertson acknowledges), and altogether destitute of every essential requisite to a judicial paper. If this weight is taken from Murray and Morton's scale, and put to the Queen's, what then remains in the opposite? Nothing but conjectures, arguments *a priori*, and inferences drawn from false premisses, all as light as air! The Queen's scale, then, preponderates; that of her adversaries *flies up, and kicks the beam.*

P A R T



PART II.

CHAP. I.

Queen Mary's accusation against the Earls of Murray and Morton, and Secretary Lethington, as conspirators in the murder of Lord Darnley. — Mr Hume and Dr Robertson's defence of them. — Heads of the charge undertaken to be proved against them.

HAVING examined the evidences that were produced by the Earls of Murray and Morton, and Secretary Lethington, for proving Queen Mary guilty of the crimes with which that confederacy accused her, we have attempted to prove, that these evidences, so far from being sufficient to make out the accusation, were themselves false and forged. If in this we have succeeded, according to the judgment of Monsieur Bayle, (a judge, who has shewn himself, by his writings, no ways prejudiced in favour of Mary), it should determine the question, not only
that

that the Queen is innocent, but moreover that her accusers themselves must be guilty. Plain however as this consequence is, to satisfy the curious, I mean to go a step further, and try, even at this day, by direct evidence, to trace the footsteps of those dark and daring geniuses, in the bloody scene of Darnley's death, through the thick cloud in which they have enveloped themselves.

The Queen's accusation against her bastard brother the Earl of Murray, and his *confederates*, Morton and Lethington, was, in general, "That they were the inventors, " conspirators, and some of them the executioners of the murder of the King*."

Now, before we enter into the defence made to this accusation, the two following points, which I think naturally do result from the Queen's accusation, will, I hope, be readily granted.

First, That if the Queen had made good this accusation, and proved, that the accusers themselves, Murray, Morton, and Lethington, had been in the conspiracy of the King's murder; in that case, she herself could not have been in that confederacy,

* Cot. lib. Good, vol. 2. p. 298.

or guilty of the murder. This I take to be consistent with common sense and reason*.

Secondly, I presume it will likewise be granted, that as this triumvirate, Murray, Morton, and Lethington, had been from the beginning equally embarked in the same cause; as they had with one voice publicly accused their sovereign of the above crimes, and pretended to bring proof of their accusation; and as they had, by that means, deprived her of her crown, and possessed themselves of the government of her kingdom: If, I say, the Queen could have proved that these joint accusers, or any of them, had themselves been the authors or contrivers of the King's death, in that case the whole triumvirate, as *socii criminis*, must one and all of them be deemed guilty, as accessories to the murder.

These two points being allowed, let us now turn to the other side, and hear what defence Murray and his associates have made for themselves, and what has been said for them by the writers upon their side, in answer to the Queen's accusation.

* Dr Robertson uses the very same argument in his vindication of the Earl of Murray, *Dissertation*, p. 4.

The answer made by Murray and his associates to the Queen's accusation, was in these general terms : " That they deny they
" were culpable thereof."

Mr Hume argues thus in their defence against the above accusation : " The Queen's
" accusation coming so late, can only be
" regarded as an angry retaliation upon
" her enemy : Unless (adds this gentleman) we take this angry accusation of
" Mary's to be an argument of Murray's
" guilt, *there remains not the least presumption*, which should lead us to suspect
" him to have been an accomplice in the
" crime.—Murray could have had no
" motives to commit that crime.—The
" King's murder, indeed, procured him
" the regency ; but much more Queen Mary's ill conduct, which he could not
" foresee *."

Dr Robertson argues thus on the same side : " Murray, on the Queen's return to
" Scotland, served her with *great fidelity*,
" and by his prudent administration ren-

* Hume, vol. 2. p. 500.

Mr Hume is rather precipitate, when he ventures to say, that Mary was the only accuser of Murray.—We shall see afterwards a very solemn accusation of him by the Earls of Huntly and Argyle, with their grounds for that accusation.

" dered

“ dered her so popular, and so powerful,
 “ as enabled her with ease to crush a *for-*
 “ *midable insurrection raised by himself* in the
 “ year 1565. What motive could induce
 “ Murray to murder a prince, without ca-
 “ pacity, without followers, without in-
 “ fluence? It is difficult to conceive what
 “ Murray had to fear from the King’s life.
 “ It is no easy matter to guess what he
 “ could gain by his death.—If Murray
 “ had instigated Bothwell to commit the
 “ crime, or had himself been accessory to
 “ it, what hopes was there that Bothwell
 “ would silently bear, from a fellow-crimi-
 “ nal, all the persecutions which he suffer-
 “ ed, without retorting upon him the ac-
 “ cusation, or revealing the whole scene of
 “ iniquity? —Or, is it probable that Murray
 “ would first raise Bothwell to supreme
 “ power, in hopes that afterwards he might
 “ crush him *?”

Such is the answer and defence made by
 the writers on Murray’s side of the ques-
 tion to the Queen’s general accusation of
 him and his associates.

We are here amused with fine-spun argu-

* Dissertation, p. 3.

ments *a priori*, endeavouring to overturn facts by inferences, from the seeming unreasonableness of the motives productive of these facts. Were the certainty of events to be determined only by an induction of probable causes, there must be an end of all historical faith, we must doubt of every thing that does not fall under the direct conviction of our own eyes. Dr Robertson asks, What motive could induce Murray to murder Darnley? His friend Mr Hume shall answer him, *It was to procure himself the regency*. But unluckily, after all, the fine reasoning of these gentlemen is contrary to facts, against which there is no arguing.—We shall by and by see, a plain proof in direct contradiction to all and each of the above arguments; *first*, Of Murray, *this faithful minister to Queen Mary*, as they are pleased to call him, his traiterous association with Morton and Lethington, and their inlisting themselves in the service of Queen Elisabeth, both before, at the time of, and after Queen Mary's return to Scotland.

We shall see the same Murray, who *had nothing to fear* from Darnley, without any just cause or pretence, prompted by his ambitious views only, and trusting to promised

fed assistance from Queen Elisabeth, raise and put himself at the head of an open rebellion, with an avowed design to kill Lord Darnley, and to make the Queen a captive.

We shall trace the same traiterous confederacy of Murray and his associates through several conspiracies against their sovereign, until the actual murder of Lord Darnley; when we shall see Morton and Lethington, the agents of Murray, and privy to the King's death, joining all their forces to get the Earl of Bothwell, whom *they knew* to be the active person in the murder, solemnly acquitted of the same; and notwithstanding the *improbability of the scheme*, according to Dr Robertson, we shall in fact see the same confederacy labouring to promote a marriage between the Queen and Bothwell, their associate; and no sooner is that accomplished, than we shall see them raise the cry against him for the murder, instigate and head a rebellion against him, and the Queen, whom they involve in the same ruin, while Bothwell is suffered to make his escape, for fear of *his revealing the whole scene of iniquity*.

These facts, which overturn the whole arguments and conjectures of the two histo-

rians, we shall, in the sequel, endeavour to prove from unquestionable evidence.

But previous to our entering upon this matter, it is of consequence to take notice of the fallacy that has been used by the advocates on the opposite side, by a vindication of the Earl of Murray *on'y*. He is substituted in place of the whole party, as if the Queen's accusation had been confined to him alone; which is not the case, as Morton, Lethington, and the other confederates, were jointly accused with him. Murray indeed, who appears to have been the head and director of the whole, seems to have taken very great care to screen himself from public view; while Morton and Secretary Lethington, his two instruments, acted more boldly, and with less caution. By this piece of sleight, the contriver and mover of the whole machine kept himself hid, as he imagined, behind the curtain, secure in his artifices; and now boldly steps forth, while his under-actors make their retreat; and by his interposition seem to elude the search.

By this piece of sophistry the partisans of the Queen have been imposed upon; in pursuing Murray they let his two instruments,

ments, Morton and Lethington, escape : we propose, however, to follow a course new and unattempted ; to direct our inquiry into the particular conduct of each of the triumvirate ; and, at the same time, endeavour to discover the chain which united this confederacy against the Queen, during her whole reign ; so that, by judging of each separately, or connecting the whole together, the reader, in one view, may determine for himself : and on this plan we propose to give a fair detail of facts, with the authorities from which we take them, so that the public may the better judge of their weight.

C H A P.

C H A P. II.

Secret association of the confederates with Queen Elisabeth.—Murray's insurrection, rebellion, and design to kill Lord Darnley.—His banishment.

I Now proceed to my subject; and in order to enable the reader to form a judgment of what part Murray, Morton, and Secretary Lethington, had in the great event of Darnley's death, it is necessary to trace their conduct for some time preceding that period.

On the death of the Queen Regent, mother to Mary, then in France, the Earl of Murray, then Prior of St Andrew's, and the Queen's bastard brother, was at the head of the Reformed party in Scotland; at which time it was reported, that he had the crown in view for himself. Our authority for this is, in the first place, a letter from Sir Nicholas Throckmorton, the English ambassador in France, to Secretary Cecil, dated the 26th of July 1559: "I am
" (says he) secretly informed, that there is

“ a party in Scotland for placing the Prior
 “ of St Andrew’s in the state of Scotland,
 “ and that the Prior himself, by all the se-
 “ cret means he can, aspires thereto *.”

Queen Elifabeth, in her instructions to the Earl of Shrewsbury, owns her knowledge of this scheme: “ Before the treaty of
 “ Edinburgh, (says that Queen), there was
 “ an intent discovered unto us by Lething-
 “ ton, to deprive her (Queen Mary) of
 “ her crown, which we utterly rejected †.”

Let us now see what evidence there is of any steps taken by Murray in the prosecution of these views. Q. Mary having determined to leave France, and come over to her own kingdom, made application to Queen Elifabeth for a safe conduct, and leave to pass through England in her way to Scotland: both these suits were refused to her. And on Mary’s taking her way by sea, some ships of war were suddenly sent out by Elifabeth, in order to intercept her in her passage. The learned Camden, from the letters of the Earl of Murray’s party in Scotland, to Queen Elifabeth and her mini-

* Dr Forbes’s Col. v. i. p. 130.

† Cot. lib. Calig. c. 9.

sters, with whom a secret correspondence was at that time kept, informs us of the part Murray acted on that occasion: “ James, the bastard, (says that learned “ writer), having returned from France “ through England, gave advices under- “ hand to intercept her, both for Elifabeth’s “ security and the interest of religion.— “ Lethington (adds he) advised the same “ thing; lest, if she should return, she “ should raise wonderful tragedies, cut “ off their intercourse with the English, “ and depress the faction that favoured “ them.” Camden mentions the letters of the party in Scotland, which he had seen. And what confirms his veracity beyond dispute is, that Lethington’s letter addressed to Cecil to this very purpose, is still preserved in the Cotton library. This letter shows plainly the confederacy between the English minister Cecil and Murray and his party, that was then forming to disturb the government: “ I have been (says Le- “ thington) these forty days in the north “ parts of Scotland with my Lord “ James (Murray); where we have not been “ altogether unoccupied, but advancing “ the religion, and the common cause.—I do “ allow

“ allow your opinion of the Queen our
 “ sovereign’s journey to Scotland, whose
 “ coming hither shall not fail to raise won-
 “ derful tragedies. — She will not be
 “ served with those that bear any *good will*
 “ *to England*. Some quarrel shall be picked
 “ with them, not directly for religion at
 “ the first; but when the accusation of
 “ heresy would be odious, men must be
 “ charged with treason. — A few number
 “ thus disgraced, dispatched, or dispersed,
 “ the rest will be an easy prey; and then
 “ may the butchery of Bonnar plainly be-
 “ gin*.”

That Queen Elifabeth actually intended
 to have intercepted Queen Mary in her
 voyage from France to Scotland, is proved
 by her minister the Lord Keeper Bacon’s
 direct acknowledgment, in a speech made
 in the privy council of England, *anno* 1562,
 on the occasion of a proposal then made
 for an interview between Elifabeth and
 Mary: “ Think you (says Lord Bacon)
 “ that the Scottish Queen’s suit, made in a
 “ friendly manner, to come through Eng-
 “ land, at the time she left France to come

* Cot. lib. Calig. book 10.

“ into Scotland, and the denial thereof, is
 “ by them forgotten? or else your send-
 “ ing your ships to sea at the time of her
 “ passage*?”

Such is the evidence of the Earl of Murray's views at this time, and those of his party in Scotland, for having Queen Mary intercepted in her way to Scotland, and detained a prisoner in England, that they might themselves seize the government of the kingdom.

Here the reader is desired to attend to the following evidence, which shews, that, at this time, the fatal association of Murray, Morton, and Lethington, in confederacy with Queen Elisabeth, and her minister Cecil, was formed; which constantly after this subsisted, and was the source whence sprung all that series of insurrections and rebellions against Mary and her government, and from which all the calamitous disasters of her reign were derived, which ended in her overthrow and death.

* Good. v. i. p. 176. from a manuscript intituled, “ Placita secreta concilii,” formerly in the library of Dr Moor Bishop of Ely, now in the library of the university of Cambridge.

Before the Queen's arrival from France, which was on the 22d of *August* 1561, Queen Elifabeth had taken care to have a minister at Edinburgh; this was the noted Mr Randolph, who, upon pretence of bearing Elifabeth's compliments of congratulation, continued about Queen Mary's court as a spy, giving the most minute intelligence of every thing done there, to his mistress Elifabeth, and her prime minister Cecil, and countenancing and encouraging every cabal formed to disturb Mary's government. Of all this Randolph's own letters, still extant, are a full demonstration.

It appears that he had very soon cultivated a good understanding with the most fit persons for his purpose, such as the famous John Knox, one of the chief of the Reformed preachers*, and particularly with the three confederates, Murray, Morton, and Lethington.

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* That Knox was in the party, appears from the following evidence: Randolph, in a letter to Cecil, in September 1561, soon after the Queen's arrival in Scotland, thus writes: "I am earnestly required to let your Honour understand, from Mr Knox, that he has received your letter by the Laird of Le-
" thington,

In this letter to Cecil, 9th of August 1561, a fortnight before Mary's arrival in Scotland, he thus writes: "I have shewn your
" Honour's

" thington, to which he will make answer at the next." *Cot. lib. Calig. book 10.* The result of this correspondence between Cecil and Knox, may be gathered from what follows. Randolph thus continues: "Where your Honour exhorteth *us* (the faction in
" the English interest) to stoutness, I assure you *the voice of one*
" *man* is able, in an hour, to put more life *in us*, than 600 trum-
" pets continually blustering in our ears.

" Mr Knox spoke on Tuesday to the Queen: he knocked so
" hastily upon her heart, that he made her to weep, as well for
" anger as for grief.

" Upon Sunday the 24th of September 1561, her Grace's chap-
" lains, in the Chapel Royal, would have sung high mass: the
" Earl of Argyle and Lord James (*i. e.* Murray) so disturbed
" the quire, that some, both priests and clerks, left their places
" with broken heads and bloody ears. — It was a great sport to
" behold it."

24th October 1561. "As to Mr Knox, I commend better
" the *success* of his doings and preachings, than the manner
" thereof. — His prayer is daily for her (the Queen), *That*
" *God will turn her obstinate heart against God and his truth; or,*
" *if the holy will be otherwise, to strengthen the hearts and hands*
" *of his chosen and elect, stoutly to withstand the rage of all ty-*
" *rants, &c. in words terrible enough.*" *Cot. lib. Cal. 10.*

In what a piteous situation must this princess have been, sur-
rounded with those men, who, on the moment of her arrival a-
mong them, could, in her own capital, use their sovereign with
such brutality!

To show that the English resident does not misrepresent Knox,
we shall quote a short passage from one of his own sermons, and
another from his history.

Soon

" Honour's letter unto the Lord James
 " (Murray), Lord Morton, and Lethington:
 " they wish, as your Honour doth, that she
 " (Mary) might be stayed yet for a space;
 " and if it were not for their obedience
 " sake, some of them care not though they
 " never saw her face. — They have need
 " to look unto themselves, for their hazard

Soon after the Queen's marriage, the King came to hear divine service in St Giles's church in Edinburgh, where Knox preached before him. Among other seditious passages he had this remarkable one: "That God, for the offences and ingratitude of the people, set in the room (*i. e.* place) of princes, *boys and women*:" "That God justly punished *Ahab* and his posterity, because he would not take order with *that harlot Jezebel*." Keith, p. 546. — In his history he says: "Of the tyranny of the *Guisan* blood, in her, that for our unthankfulness now reigneth over us, we have had sufficient experience: But of any virtue that ever was espied in King James V. whose daughter *she is called*, to this hour we have never seen any sparkle." Keith, p. 130.

Dr Robertson, in his history, v. i. p. 157. is pleased thus to characterise Mr Knox: "Knox (says he) infused generous sentiments of government in the minds of his hearers."

I oppose to this Mr Hume's character of Knox: "The Queen (says Mr Hume) endeavoured by the most gracious condescension to win his favour; all her insinuations could gain nothing on his obdurate heart. — The political principles of the man, which he communicated to his brethren, were as full of sedition, as his theological were of rage and bigotry." Vol. 5. p. 51. *Octav. Ed.* — The reader will be at no loss to judge, which of the historians have given the justest character of this theological demagogue.

" is

“ is great, and they see there is no remedy
 “ nor safety for themselves, but to *repose*
 “ upon the *Queen's* (Elisabeth's) *Majesty's*
 “ *favour and support*. They are in mind
 “ shortly to try what they may be assured
 “ at, of the *Queen's Majesty*, and what
 “ they may assuredly perform, of that they
 “ intend to offer for their parts. — They
 “ intend to expostulate with me hereupon.
 “ I have my answer ready enough to
 “ them.” —

“ By such talk, as I have of late had
 “ with the *Lord James and Lethington*, I
 “ perceive that they are of mind, that im-
 “ mediately of the next convention, I shall
 “ repair to you with their determination
 “ and resolution in all purposes, where-
 “ in your Honour's advice is earnestly and
 “ shortly looked for. — The *Lord of Le-*
 “ *thington* leaveth nothing at this time un-
 “ written, that he thinketh may be able to
 “ satisfy your desire in knowledge of the
 “ present state of things here*.”

We see from this letter, that the affected
 pretence of those persons, for associating
 themselves, and carrying on this under-

* Cot. lib. B. 10. fol. 32. Robertson, v. 2. App. p. 11.

hand treacherous intelligence and correspondence with England, was their fears from Mary on her arrival in her own dominions. How false these pretences were, may be judged from the conduct of this deluded princess; who, immediately on her arrival, threw herself into the arms of these very men, Murray, Morton, and Lethington*; who, notwithstanding they had the sole power in their hands, still continued to carry on their treacherous practices with England.

In the abstract of Randolph's letters to Cecil, now in the Cotton library, we find in one of them, of the 19th June 1563, these words: "If any suspected letters be taken on the border, open them not, but send them to my Lord of Murray, of whose service the Queen of England is sure †."

We now proceed to unfold some ouvert acts of Murray, in prosecution of his view of disturbing the government, and seizing the reins into his own hands.

The Queen's purpose to marry the Lord Darnley, in the year 1565, was an event

* Robertson, vol. 1. p. 230.

† Keith, p. 241.

which

which seemed to cross Murray's ambitious views, in placing a master over him for the present, and, by the prospect of the Queen's issue, cutting off all his hopes for the future. For preventing this marriage, a conspiracy and association was formed, of which Murray was at the head, to seize the Queen and Lord Darnley at the kirk of Beith, on their return from Perth, on the 1st of July 1565, to imprison her in the castle of Lochleven, and to murder, or seize Darnley, and send him prisoner to England.—Of all this the evidence follows.

Randolph, Queen Elisabeth's minister at Edinburgh, from his letters, appears to have been deeply engaged with the conspirators in this plot. In his letter 3d June, he thus writes to Cecil: "People have small
 " joy in this their new master, and find
 " nothing, *but that God must find him a short*
 " *end, or them a miserable life.* The dan-
 " gers of these he now hateth are great:
 " but they find some support, that *what*
 " *he intendeth to others, may light upon him-*
 " *self* *."

In his letter of the 2d of July, he writes thus to Cecil: "*With my Lord of Murray I*

* Keith, p. 282.

“ have lately spoken ; he is grieved to see
 “ the extreme follies in his sovereign ; he
 “ lamenteth the state of the country, that
 “ tendeth to utter ruin ; he feareth that
 “ the nobility shall be forced to assemble
 “ themselves together, to do her honour
 “ and reverence, as they are in duty
 “ bound ; but at the same time, to pro-
 “ vide for the state, that it do not utterly
 “ perish.—The Duke, the Earl of Ar-
 “ gyle, and he, (Murray), concur in this
 “ device ; many others are like to join
 “ them in the same : What will ensue, let
 “ wise men judge *.”

How the ruin of the state was to ensue
 from the Queen's marriage, at this time,
 or what her follies were, is not so easy to
 be comprehended. That the Queen's mar-
 riage was a very great bar in the way of
 Murray and his party, is extremely ob-
 vious ; and for that reason, that the most
 desperate remedies were put in execution
 by them, to prevent its having effect, is
 very apparent. At this very period, how-
 ever, it is acknowledged, by all our histo-
 rians, that the Queen was the darling of

* Cot. lib. Cal. book 10. fol. 299. ; Keith, p. 289.

her people, and that her government was mild and unexceptionable to all. This the latest historian of those times candidly acknowledges *. The only grievance therefore here complained of by Murray and his associates, seems to be, that the Queen should think of marrying, which they foresaw might put an end to that party in the English interest, which Elisabeth cherished and kept up, for her scheme in disturbing Mary's government, and of which Murray, for his own private views, was at the head.

What lengths this association was resolved to go, in prosecution of their scheme to prevent the marriage, we proceed to unfold.

Randolph thus writes to Cecil in the above letter of the 2d of July: "Darnley's behaviour is such, as he is run in contempt of all men, even of those that were his chief friends: What shall become of him, I know not, but it is greatly to be feared *that he can have no long life among this people* †." Here is a prediction, which, without the gift of prophecy, Randolph might very safely make from what

* Robertson, vol. 1. p. 288. vol. 2. Diss. p. 3.

† Keith, p. 287.

follows

follows in his letter: "The question (says he) has been askt me, Whether, if they (Darnley, and his father Lennox) were delivered to us at Berwick, we would receive them? I answered, We would receive our own, *in what sort soever* they came into us *;" i. e. dead or alive.

This conspiracy being detected by the Queen, the very day before it was concerted to have been put in execution, she, with assistance of the Earl of Athol, and what men he could instantly raise, made a sudden march to Edinburgh; which entirely disconcerted Murray and his confederates, insomuch that, seeing themselves detected, they made their retreat to Stirling; where they assembled their strength, and soon after took arms, and rose in open rebellion. This open attempt appeared to be so unprovoked and unjustifiable, to the whole nation, that the Queen, with her whole people upon her side, found it an easy matter to crush Murray and his desperate party, who for refuge fled into England.

The desperate resolution of Murray and

* Cot. lib. Calig. book 10. fol. 299.; Keith, p. 290.

his party, by thus rising in open rebellion against their sovereign, is thus opened to us by their confident Randolph, the English minister, in his letter to Cecil at this very time, 3d September 1565: "The Lords were forced from Edinburgh.—" "The Queen suspects Morton, yet hath he not the wit to leave her. She weareth a pistol charged when in the field; and of all her troops her husband only has gilt armour.—Divers of the other side are appointed to set upon the Queen's husband, *and either kill him, or die themselves.* They expect relief from England: Much promised, but little received as yet. If her Majesty will now help them, they doubt not *but one country will receive both the Queens* *." I shall only add one testimony more; and that is, no less than the affirmation of most of the Scotch nobility; among whom were the Earls of Argyle, Rothes, and the Lord Boyd, who at first joined with Murray, but afterwards submitted, and were pardoned by the Queen,

* Cot. lib. Calig. book 10. fol. 335.; Keith, Ap. p. 164.

This is a pretty plain hint of Elisabeth's scheme for seizing Mary, by the help of her rebellious subjects, thus disclosed to us by the English minister, then in the conspiracy with them.

and must have certainly known the truth of what they subscribed to against Murray, their associate, in this affair. They declare in these words: "That he, Murray, at this time, conspired the slaughter of the Lord Darnley, and to have imprisoned her Highness in Lochleven, and usurped the government *."

Thus

* Dr Robertson acknowledges this conspiracy for seizing Darnley, and sending him a prisoner to England, *vol. 2. p. 284.*; and endeavours to balance it by the report of a counter plot formed by Darnley to assassinate Murray at that time. Let us examine what appearance of truth there is in this counter plot of Darnley's, from the Doctor's argument: "First, (says he), Buchanan positively asserts it; 2. Randolph asserts it; and, 3. Murray himself asserts it;" *ibid. p. 285.*

As to the first, Buchanan, he could not assert this from his own knowledge, for at that very time Buchanan was in France: but had he been on the spot, the innumerable falsehoods he has asserted against Queen Mary, which are contradicted in every page by the public records, and by the most authentic evidences still extant, justly render any authority taken from him, a discredit to the author who relies on him.

As to Randolph and Murray, as we have seen them both associated by Randolph's own direct acknowledgment in the conspiracy against the Queen and Darnley, it is strange in Dr Robertson to bring these two as witnesses to a story of their own making, for which they could never give any other author.

I cannot commend the Doctor on the head of impartiality in this matter. He excuses Murray for not coming to court to prove his assertion, and the truth of it. Murray was not desired to appear personally; he was required by act of council, 17th July, upon

Thus have we full and clear proof, from the concurrent testimonies of the conspirators themselves, of a plot and confederacy formed by Murray and his party for overturning the government, dethroning Queen Mary, and murdering the Lord Darnley *; and this carried into execution by an open rebellion, headed by Murray, which Queen

upon his allegiance, to "declair plainly and uprightly the wordis
"and bruit made to him of the said allagit conspiracy, the form
"and manner of it, and the name of the reporter; and to put
"his declaration in write, and subscribe it, and send it with her
"advocate to her Majesty;—otherways that he would be held
"to be the inventor and author of that false report himself;"
Keith, Appendix, p. 108.

What answer does Murray give to this? That he was contented (rather) "to come to hir Majesty to declare the truth of
"the report made to him of the alledgit conspiracy, provided he
"had an assurance or protection sent him."

By act of council, 19th of July 1565, the Queen accordingly sends him a protection for himself and his company to come to court.—Does he come? no! not although repeatedly required to do so, on his allegiance, and a second protection sent him for himself and eighty followers; yet Murray never would appear personally, nor give any declaration; nor did he ever name any person as the author of this report. The plain inference and conclusion follows, that he himself was the author of this invented plot. Let us hear Mr Hume's sentiments.—"The conspiracy," says he, "of which Murray complains, is founded on
"very doubtful evidence;" *vol. 4. p. 463.* After all, supposing it had been true, it could be no vindication of his treacherous association and conspiracy for seizing the Queen and Darnley, and rising in rebellion against them.

* *Cot. lib.; Goodall, vol. 2. p. 358.*

Mary was so successful as to crush, and oblige him to fly the kingdom, and to take refuge under Queen Elisabeth, whose share in this enterprise is sufficiently proved by the preceding testimonies.

What motives, we now ask in our turn, could induce Murray, at this time, when the kingdom was in universal peace and quiet, under the mild government of his benefactress, who had raised him to the height of power next to herself, and trusted him with the administration of all affairs, thus, unprovoked, to form a plot to dethrone her, and murder her husband? What else, surely, but that inordinate lust of power and ambition, to set himself at the head of the government, and to rule alone, which ever has been, and will be a tempting motive to ambitious men to cut through the strongest ties, and to commit the worst of crimes! And although Murray failed at this time in his attempt, yet, by persevering in his scheme, and laying his plan deeper, he soon after was successful.

C H A P. III.

Conspiracy for restoring Murray.—Assassination of David Rizio.—Falsehood of Buchanan.—Confederacy at the castle of Craigmillar.—Examination of the Queen's conduct.

Malum minatum & damnum secutum, say the lawyers, is a most certain presumption of guilt, which nothing but the most positive evidence of the contrary can remove. Of the *malum minatum* by Murray to the Lord Darnley, carried even so far into execution, it is impossible to produce a more clear proof than by the preceding testimonies; nor was the actual murder of that prince so very remote from this period, as to remove that presumption. Murray's rebellion and banishment was in *October 1565*; and Darnley's murder happened in the beginning of the year *1567*, *10th February*, that is, scarce sixteen months distant, and within less than eleven months after Murray was recalled from his banishment.

We have shewn the traces and steps of
this

this confederacy of Murray, Morton, and Lethington, as early as from the Queen's return from France to her kingdom of Scotland: And we have also seen, from Randolph's letter, that although Morton did not openly join Murray in his rebellion, yet that he was strongly suspected by the Queen at that time. The plan of these consummate politicians was not so shallow, as openly to embark all together, to risk their whole stock in one bottom; one adventure might fail, but so long as they kept a reserve at home, affairs might be retrieved, and their unwearied attempts at last crowned with success. Hitherto the traces of this confederacy appear only faint; we shall see gradually, as we advance, the light break in; by the aid of which we shall endeavour, step by step, to follow them into their dark retreat.

In the beginning of April 1566, the parliament was to have met; to which the Earl of Murray and his accomplices were summoned to appear, in order to their attainer, on account of their rebellion. To prevent this blow, and likewise to follow out the main scheme, a new plot is devised by their friends, Morton and Lethington.

The Queen was, at this time, above six months advanced in her pregnancy; when, on the evening of the 9th of March, as she sat at supper in her own private apartment, in the palace of Holyroodhouse, in the presence of the King, and the Countess of Argyll; her secretary David Rizio, and two or three domestics in waiting; the Earl of Morton, the Lords Lindsay and Ruthven, at the head of 500 men, in complete armour, of a sudden make themselves masters of the palace, while Ruthven, at the head of a few ruffians, with their daggers drawn, rush into the room, overturn the table at which the Queen sat, and stab to the heart Rizio, who had taken refuge at her feet; then dragging the shrieking wretch to the door, they lay him dead with numberless wounds *. After this they return

* Buchanan is the only cotemporary author who has ventured to commit to writing the scandalous tale of an amour between the Queen and Rizio; which, when examined into, hath not the shadow of truth, or even probability, to support it. Yet such is the malignity of party-prejudice, that with several this story passes current. Had there been the least ground for such calumny, we are pretty certain that the Queen's accusers, Murray and Morton, would not have omitted so important an article in the black accusation which they published against her; and what seems pretty remarkable, even Buchanan, in his libel called the *Detection*, has not

turn to the Queen, almost dead, as may be well imagined, with fear, threaten her with instant death, and upbraid her in the most

not the smallest insinuation of any such amour. Whence then could this strange calumny take its rise? Let us examine this matter a little. Upon the departure of Raullet, the Queen's secretary for foreign letters, this man Rizio, who appears to have been a man of parts, was promoted to his place; *hoc pretextu*, says Buchanan, *secretius & seorsum à vulgo agere cum Regina posset*: And upon this ground has Buchanan raised his notable story of the Queen's amour.

The time of Rizio's coming into favour with the Queen, is by all our historians agreed, and even by Buchanan himself, to have been while her marriage with Lord Darnley was in agitation; when her passion for that young nobleman, remarkably handsome, and in the bloom of youth, was very great. Yet about this very time, and soon after her marriage, has Buchanan fixed upon for her amour also with Rizio: And what is curious in this story, this rival of Lord Darnley, this paramour of the beautiful Queen Mary, for whom monarchs contended, is by Buchanan too described as a monster of ugliness; — *Regina, cum naturæ vitia non posset emendare, divitiis & honoribus cumulandis corporis vitia fortuitæ claritatis obtentu tegat*. Again, *Res indignior vidbatur, quod non faciem cultus honestabat, sed facies cultum destruebat*.

Mr Hume inclines to think the story of Rizio improbable. Rizio he admits was ugly; but, on Buchanan's authority, he adds, shroudly, "he was not past his youth."

Blackwood, however, his cotemporary, an author of better credit, who knew Rizio well, expressly says he was old; *David Rizio homme assez âgé, laid, morne, & malplaisant*, p. 74.

Dr Robertson, vol. i. p. 305. in his account of the affair of Rizio, has sufficiently proved the absurdity and falsehood of Buchanan. The Doctor concludes with this remark: "The silence of Randolph the English resident, a man abundantly rea-

most shocking terms, with mal-administration by Rizio's counsel, encouraging Papists, and banishing Murray and the other Lords,

“ dy to aggravate Mary's faults, and who does not once insinuate “ that her confidence in Rizio concealed any thing criminal, is “ in itself a sufficient vindication of her innocence.” We shall show the justice of the Doctor's observation on Randolph's character, by a passage from one of his own letters to Cecil, of the 31st of July 1565, which shews, to a demonstration, the black disposition of the Queen's enemies to calumniate her upon every occasion, without regard to the smallest probability. All our historians, Buchanan excepted, extol Mary's character and conduct, from her coming to Scotland, until long after the affair of Rizio ; and as to her marriage with Darnley, none of them have ventured to insinuate any thing to her prejudice : and yet this man Randolph, Queen Elizabeth's spy (under the character of her resident) on the actions of Mary, who secretly cherished the malecontents at court, has dared to retail a still more improbable piece of scandal against the Queen, and which Randolph himself does not seem to believe. After reciting to Cecil the ceremony of the Queen's marriage with Darnley, Randolph thus writes : “ The Queen, “ after changing her garments, went not to bed ; to signify that “ it was not lust that moved her to marry, but the necessity of “ her country, not to leave it destitute of an heir. *Suspicious* “ *men, or such as are given of all things to make the worst,* “ *would that it should be believed, that they knew each other be-* “ *fore they came there.* I would not that your Lordship should so “ believe it, the likelihoods are so great to the contrary.” *Robert-* *son, vol. 2. Appendix, p. 26.* If Randolph did not himself believe this, how durst he venture to commit to writing so false and scandalous a story ? Impartial men, from this specimen, may judge with what sort of persons this unfortunate princess was beset, and in what light all her actions were exposed by a set of men then in her very court.

Lords, whom, they tell her, she should see in her presence the next day; and they conclude the triumph by a cruel stab, *That*
the

It may not be improper here to give a convincing proof of what little credit is to be given to George Buchanan's history of this princess. The above story of her amour with Rizio, as most of his stories do, rests entirely upon his own single assertion. However, to gain credit to these, he has in some few instances ventured to make an appeal to writings in the public archives. This was certainly specious, and in those dark and busy times must have carried conviction with it, especially to foreigners, who had no access to canvass his authorities. Of this the following is a specimen.

In his *Detection*, p. 3. folio Edition, he tells us, That the Earl of Bothwell was sent for at midnight, and taken forcibly from his wife's arms, and brought to the Queen's bed; and as his authority or proof for so bold a story, he adds, "The manner and circumstances of this deed, not only the most part of those that then were with the Queen, have confessed, but also George Dalgleish, Bothwell's chamberlain, a little before he was executed, declared the same: which confession yet remains on record." *Et Georgius Dalglesius, Bothuelii cubicularius, paulo antequam pœnas luit, denarravit: quæ ejus confessio in actis continetur.*

Now, could any man of candour, upon such authority as the confession of an eye-witness, appealed to as remaining in the public records, call in question the truth of the above fact? yet these being examined, particularly George Dalgleish's confession, as produced by the Earl of Murray, and still on record, from beginning to end, there is not one single word respecting the above story, nor aspersing the Queen in any degree.

We might likewise add the same of certain confessions of Bothwell's other servants, which Buchanan has cooked up, and ventured to publish at the end of his *Detection*, which contain some gross reflections against the Queen. These being compared with
the

the King himself was associated with them in the conspiracy !

Accordingly, the next day, a proclamation is issued, in the King's name only, ordering the Peers, and other members that were to have met in parliament, to retire to their homes : and that very evening Murray, and the other exiles in England, knew so well what was done in Edinburgh, that they appeared there within twenty-four hours of Rizio's assassination. We have preserved to us, in the Cotton library, (*Calig. book 9.*) the articles agreed on between Lord Darnley on his part, and the Earl of Murray and the banished Lords on their part, relating to this affair ; their

the authentic confessions attested by Sir John Ballenden, and given in to Queen Elisabeth by the Earl of Murray himself, are found to be quite different, these last containing no such reflections as Buchanan's ; *Goodall, Preface, p. 15. and vol. 1. p. 325.*

After this, we need not wonder that Thuanus *; and other foreign writers, have been misled, taking their information from Buchanan, resting his credit upon such grave authority as a solemn appeal to writings asserted by him to be on record, which in fact never existed, and producing as testimonies writings, which, from the originals remaining at this day in the public archives, are detected as spurious and false.

* No wonder foreigners have been imposed on. The accurate and industrious Carte has been misled by Buchanan's spurious confessions, taking them for genuine.

being

being recalled from exile, and their assisting him in getting possession of the crown for life *. From this we have a proof of Murray and Morton joining hand in hand in this conspiracy. Let us now see if we can trace their friend Lethington's steps in it. Calderwood, a contemporary author, thus writes: "Secretary Lethington retained the Earl of Athol with himself, within his lodging: for Lethington was privy to the plot, and supped that night with the Earl; partly on purpose to withhold him from offering, or to save him from suffering any violence; and that he himself might not be suspected by the Queen, having the Earl of Athol for a witness of his behaviour †."

This is sufficient to shew, that the triumvirate were all joined in concert in this conspiracy, and acted still on their old plan, of not appearing all of them openly, so as, in case of a failure of their plot, one or other of them, by keeping out of the affair, might be able, by his intrigue, and keep-

* *Vide* the articles at length, Goodall, vol. i. p. 227.

† Calderwood's MS. Goodall, vol. i. p. 269.

ing footing at court, to restore his brethren in disgrace.

A very little reflection is sufficient to make one see, with amazement, the depth and prodigious extent of this well-concerted plot, which had the greatest probability of terminating in the death and destruction of the Queen, her offspring, and of her husband himself, whose weakness and brutality could lead him to join with the Queen's and his own worst enemies, in so horrid a conspiracy.

The death of Rizio was surely the least view of the conspirators. Had that been their sole aim, a hundred ways occurred to have dispatched him quietly out of sight; but that could have had no consequence *. In the plan they pursued, how big a scene for expectation appeared! A band of armed ruffians, with their daggers brandished, to rush of a sudden into the presence of a woman six months gone with child, to o-

* John Knox's reflection concerning Rizio, and his assassination, is curious.—“Of his (Rizio's) beginning and progress,” says he, “we delay now further to speak, because his *end* will require the description of the whole, and refers it unto such as *God shall raise up to do the same.*”

verturn the table at which she sat, and to stab a man hanging by her knees ! From this scene of shrieks, blood, and horror, was it natural to expect less than the Queen's abortion ? Might they not expect her death ? And, in any event, was not this an infallible means of bringing on an immediate rupture between the Queen and her husband *. In this last view the scheme succeeded : It was impossible for the Queen, or indeed any woman, to forgive a husband, who had joined in so horrid, so unnatural a conspiracy, against her life, and that of his own offspring ; one too, whom she had raised from a state of exile to her throne, and on whom she had lavished her whole affection. It is not my business to assume the part of an historian. From this time the Queen's affection, which, before this, was unbounded towards her husband, seems to have cooled ; and as he, on his part, took no manner of concern to be reconciled to her, his shocking behaviour, and dissolute life, widened the breach. He took a resolution to leave the kingdom to

* The two last historians of those times see none of these consequences ; which is surprising, as want of penetration cannot be imputed to them.

go into foreign parts ; which the Queen, either from some remains of tenderneſs, or to prevent his expoſing himſelf, with much perſuaſion, got him diſſuaded from.

Although the aſſaſſination of Rizio, in which Morton appeared openly to be the ringleader, had ſo far ſucceeded as to bring home his friend the Earl of Murray from baniſhment ; whom the Queen, his ſiſter, in her diſtreſſful circumſtances, was ſo gracious as to pardon for his treaſon and former offences ; yet Morton, in his turn, was baniſhed the kingdom. As he had now, however, two ſuch good friends at court as Murray and Lethington, he was in hopes of being ſoon recalled by their aſſiſtance, or by a new plot from them in their turn. In a letter from Morton and Ruthven, then in exile at Berwick, dated the 2d of April 1566, to Sir Nicholas Throgmorton, they thus unfold their expectations :

“ Since we are in trouble *for the relief of*
 “ *our brethren, and the religion* *, we doubt
 “ not to find your favour, *as our brethren*

* Religion, we know, was always the pretext for Murray and Morton's actions ; but what ſort of religion it was, which prompted theſe gentlemen to murders and aſſaſſinations, mankind may judge.

“ *have*

“ have done before, who were of late banished; desiring you most heartily, that
 “ by yourself, and such others as you may
 “ procure, we may find favour at the Queen’s
 “ Majesty, your mistress’s hands, for remaining within hir Highness’s realm,
 “ until such time as we may be relieved by
 “ the help of our brethren, which we hope
 “ in God shall be shortly*.” The next step, therefore, of the Earl of Murray and Secretary Lethington, (who had carefully, as we have seen, kept himself hid from view in this last plot), was to labour to have their associate Morton restored again to favour. For this purpose the proposal made by Murray and Lethington, first to the Earl of Huntly and Argyle, and after that to the Queen herself, falls here to be considered.

In the famous *protestation* or *déclaration* of the Earls of Huntly and Argyle, these two noblemen declare, that in the month of December (the same year) 1566, while the Queen was residing at the castle of Craigmillar, the Earl of Murray and Secretary Lethington came into their apartment in the morning, “ and lamenting the

* Good. vol. i. p. 264.

go into foreign parts ; which the Queen, either from some remains of tenderneſs, or to prevent his expoſing himſelf, with much perſuaſion, got him diſſuaded from.

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* Good, vol. i. p. 264.

“ banishment of the Erle of Mortoun,
 “ Lordis Lyndsay and Rowen, with the
 “ rest of thair faction, said, that the occa-
 “ sion of *the murther of David*, shane be
 “ thame in presence of the Quene’s Ma-
 “ jestie, was for to troubill and *impeſche* the
 “ parliament, quhairin the Erle of Mur-
 “ ray and utheris shuld have bene foirfaltit,
 “ and declarit rebellis. And seeing that
 “ the samin was chieflie for the weilfare of
 “ the Erle of Murray, it shold be esteemit in-
 “ gratitude, gif he and his friendis, in re-
 “ ciproque manner, did not interpryse all
 “ that wer in thair *puissance* for releif of the
 “ saidis banishit; quhairfoir thay thocht,
 “ that we, of our part, shuld have bene as
 “ desyrous thairto as thay wer.”

“ And we agreeing to the same, to do all
 “ that was in us for thair relief, provyding
 “ that the Quene’s Majestie shuld not be
 “ offendit thairat: On this Lethington
 “ proponit, and said, “ That the nearest
 “ and best way till obtene the said Erle of
 “ Mortoun’s pardoun, was, to promise to
 “ the Quene’s Majestie, to find ane *moyen*
 “ to mak divorcement betwixt hir Grace
 “ and the King hir husband, quha had
 “ offendit

“ offendit hir Hienes sa hielie in mony
“ wayis.”

“ Quhairunto we answering, That we
“ knew not how that might be done; Le-
“ thington said, *the Erle of Murray being*
“ *ever present*, “ My Lord, cair zou not
“ thair of. We sall find the meane weill
“ enough to mak hir quite of him, swa
“ that ze and my Lord of Huntlie will
“ onlie behald the matter, and not be of-
“ fended thairat. And thairon we four,
“ the Erles of Huntly, Argyle, Mur-
“ ray, and Secretary Lethington, passed all
“ to the Erle of Bothwell’s chamber, to
“ understand his advise on thir things
“ proponit, wharein he ganefaid not, mair
“ than we.”

“ Swa thairefter we past altogidder to-
“ wardis the Quene’s Grace; quhair Le-
“ thington, efter recounting the King’s in-
“ tollerabill offences, and his continewing
“ everie day from evil to worse,” — made
the proposal to the Quene, as mentioned
above, of making divorcement between the
Queen and him. To this the Queen was
averse, by reason it might perhaps preju-
dice her son, and said, “ That peradventure
“ he (Darnley) wald change opinion, and
“ that

“ that it wer better that scho hirself for
 “ ane tyme passit in France, abyding till
 “ he acknowlegit himself.” Then Le-
 “ thington taking the speache said, “ Ma-
 “ dame, fancie ze not we ar heir of the
 “ principal of zour Grace’s nobilitie and
 “ counsal, that fall fynd the moyen, that
 “ zour Majestie fall be quyte of him with-
 “ out prejudice of zour sone. And albeit
 “ that my Lord of Murray heir present be
 “ lytill les scrupulous for ane Protestant nor
 “ zour Grace is for ane Papist, I am assurit
 “ he will *luik throw his fingeris thairto, and*
 “ *will behald our doings, saying nathing to*
 “ *the samen**.” The Quene answerit, “ I
 “ will that ze do nathing quhairthro ony
 “ spot may be layit to my honor or con-
 “ science, and thairfoir I pray zou rather
 “ lat the matter be in the estait as it is,
 “ abyding till God of his guidnes put re-
 “ meid thairto; that ze beleifing to do
 “ me service may possibill turn to my hurt
 “ and displeasour.” “ Madame, (said Le-

* Here Lethington lays down the part which his friend Mur-
 ray had agreed to play in the tragedy that was to follow; he was
 to be placed behind the curtain, looking through his fingers, behold-
 ing the catastrophe, and saying nothing. With what address
 Murray performed this part, we shall soon observe.

“ thington),,

“ thington), let us guide the matter amangis
 “ us, and zour Grace fall see nathing
 “ bot guid, and approvit be parliament.”

The inference made by Huntly and Ar-
 gyle, from this procedure of Murray, Both-
 well, and Lethington, is in these words:

“ Swa efter the premissis, the murthour
 “ of the said Henry Stewart following, we
 “ judge in our consciences, and haldis for
 “ certane and trueth, that the saidis Erle
 “ of Murray and Secretarie Lethington
 “ wer auctoris, inventaris, devyferis, coun-
 “ fallouris, and causeris of the said mur-
 “ thour, in quhat manner or be whatsum-
 “ ever persounis the famin was execute.”

“ And where the saidis Erle of Murray,
 “ and Lethingtoun, or ony of thame, will
 “ deny and ganefay to the foirsaid, we ar
 “ deliberat to defend the famin be law of
 “ armis, as our awin proper honor, in
 “ quhatsumever place thay will cheise in
 “ Scotland, afoir the estaitis thair of; out
 “ of the quhilk realme we cannot pass, be
 “ ressoun of the troubillis ar thairintill.
 “ And gif the Quene’s Majestie of Eng-
 “ land pleisis to send ony in her name,
 “ to heir and see the premissis defendit,
 “ the

“ the famin fall be put to execution in thair
 “ prefence.”

The Earl of Murray's answer to the above, is as follows: “ Because the custume
 “ of my adversaris is, and has bene, rather
 “ to calumpniat and backbite me in
 “ my absence, than befoir my face; and
 “ that it may happen thame, quhen I am
 “ departit furth of this realme (England),
 “ sclanderouslie and untrewlie to report
 “ untreuthis of me, and namelie towardis
 “ sum spechis haldin in my hearing at
 “ Craigmillar, in the month of November
 “ 1566, I have alreddie declarit to the
 “ Quene's (Elisabeth) Majestie, the effect of
 “ the haill purposis, spokin in my audience
 “ at the famin tyme, sincerelie and trewlie,
 “ as I will answer to almychtie God, unconceilling
 “ ony part to my remembrance, as hir Heines I traist will report.
 “ And farther, in cais ony man will say
 “ and affirm, that ever I was present, quhen
 “ ony purposis wer haldin at Craigmillar
 “ in my audience, tending to ony unlauchful
 “ or dishonorabill end, or that ever I
 “ subscrivit ony band there, or that ony
 “ purposis was haldin anent the subscribing
 “ of ony band be me, to my knowledge,

“ I

“ I avow they speik wickitlie and untrew-
 “ lie, quhilk I will mantene aganis thame,
 “ as becumis ane honest man, to the end
 “ of my lyfe *.”

What

* If this gentleman is to be acquitted by his own oath, we find him extremely ready upon every occasion to give this sort of proof; and his sanctified air and deportment served him to very good purpose on these occasions. Hence he derived the name of the *Gude Regent*; a title which bore a very different signification in those days in Scotland, to what the epithet of good or worthy at this day expresses; *Robertson, vol. 1. last page.* The *gude Regent*, in the cant phrase of the religionists of those days, meant the *godlie Regent*; and as Murray's pretension to godliness was always in his mouth, it was with good reason that he got from the people, and their leaders among the clergy, that name. That the air of sanctity affected by this statesman was characteristic, the following letters under his hand plainly shew. After the battle of Langside, when Mary was obliged to take refuge in England, and remained at Bolton, whether it was with a political view to ingratiate herself with Queen Elisabeth, or from a real desire to be better informed, it appears that she had shown herself favourably inclined to the Reformed religion, and had heard some of their preachers. The Lord Scroop, in a letter to Murray, then Regent, acquaints him of this, and of a proposal for restoring her to the government, under certain conditions. To this Murray writes an answer, 7.h August 1568: “ Glaid I am (says he) to
 “ hear by your letter, the Queen, mother to the King my sove-
 “ reign, is becum so religious; and mair glaid wald I be, gif I could
 “ be perswaded of her unfeigned lyking to the *true preaching of*
 “ *the gospel, thinking it suld move her to humiliation and re-*
 “ *pentance*, without which ground, her resorting to the service of
 “ the kirk of England, serves her turn presently, to move *godlie*
 “ *men* to conceive a gude opinion of her conformity and toward-
 “ ness. *But I fear, being restored to her government again, as*

D d

“ your

What explanation the Earl of Murray
was pleased to give to Queen Elizabeth,
his

“ your Lordship writes, *it suld be of the most difficile conditions,*
“ *to become gude*; for that she suld abandon the mass, and he
“ that sva take an hand in her name, might, peradventure, ere
“ long time past, be reproached. Hereon we need write na
“ farther, for upon the short experience your Lordship has had of
“ her, I doubt not but ye consider well enough, both her zeal to
“ the true religion, and her inclination otherways, whilk *I wish*
“ *to God had been as well employed as God endued her with*
“ *many good qualities. All will be as his godlie providence ap-*
“ *points.*”

Could John Knox himself, or any other ghostly father of the times, have put on a more sanctified appearance, or uttered more godly words, than this pious politician does? His zeal, we see, for the true religion was great, and his care for the Queen's soul no doubt, made him afraid, that being restored to her government (of which he himself was then in possession) would make it *of the most difficult condition for her to become godly*. The mortification of a prison he took to be the more sure way *to move her to humiliation and repentance!*

We shall give another sketch of this gentleman's picture, of his own drawing, which is surely genuine, and more to be regarded than the artificial colouring of a foreign hand. The Queen, at this very time, had written to the Earl of Murray, putting him in mind of the favours she had bestowed on him, and acts of grace for his treason and rebellion against her, and upbraiding him for seizing the government, forcing her out of the kingdom, and even seeking her life. To this Murray answers, “ Madam, I
“ think yourself doubts nor, and the hail world may judge, that
“ gif my intention had been to shorten your days, I have had
“ greater moyen to do it, than ever the will entered into my
“ heart. I need not to insist upon my purgation of that point;
“ only this I will say, I shall never ask God mercy for any
“ thought

his friend and confident, of the above conferences, held by him in the castle of Craigmillar, we are yet to learn. There is no doubt that he thought himself very safe in the hands of that princess, to whom, he tells us upon oath, that he had unbosomed himself; and therefore, it would appear, he thought no body else had a title to hear his tale. Thus far we see from this extraordinary answer of Murray, that he does not deny the conferences, and proposal alledged to have been made by him and

“ thought that ever entered in my mind towards the life of any
 “ mortal man, far less your Grace, whom *I take God to witness I*
 “ *have loved as dearly as ever I did or shall any living creature.*”

Murray's design by these solemn asseverations, was not so much on account of the Queen, as to justify himself to Lord Scroop, then with the Queen at Bolton, and to whom Murray, in the former letter addressed to his Lordship, sends a copy of this letter to the Queen. Both letters are curious, and may be seen at full length in the fourth volume of Anderson's collection, pages 115. and 117.

What credit ought to be given to these oaths of Murray, is submitted to the public. At the same time it must strike every breast with horror, to hear such solemn protestations and appeals made to the truth of facts, which, at best, must appear equivocal to every person who considers the foregoing proofs of this man's repeated conspiracies, treasons, and rebellions, his brutal behaviour to the Queen, his depriving her of her government, and, in a few months after writing the above letters, publicly accusing her to the world of adultery and murder.

Lethington, as the Earls of Huntly and Argyle have declared in their protestation. It therefore must appear sufficiently convincing, to any unprejudiced person, that what these noblemen have affirmed is true. We therefore shall leave to every person to judge for himself, of the propriety of the inference these noblemen draw from thence, of Murray and Lethington's guilt, and accession to the murder of the Lord Darnley, which was committed within a few weeks of their proposal to make the Queen *quyte of him*.

Of this *protestation, as it is called, of Huntly and Argyle, we have a copy preserved in the Cotton library, with the original of Murray's answer, signed by himself, *James Regent*, pasted on the back of the protestation.

Dr Robertson endeavours to show, that there never was any original of the protestation signed by Huntly and Argyle; what is extant being, as he is pleased to alledge, only an intercepted copy, contained in a letter sent by the Queen to those two noblemen for them to make out and sign. What is extant is acknowledged to be no more than a copy unsubscribed; but that
can

can be no proof that there never did exist an original: Queen Mary had very good reason not to trust the original of so important a writing with Secretary Cecil, after the manifest partiality shewn against her. But although the original of this paper does not at this day appear, yet we have an authentic evidence to the truth of the facts contained in it; not only signed by Huntly and Argyle, but likewise attested by thirteen other Peers of the highest rank in Scotland, dated 12th September 1568*: After rehearsing the murder of Rizio, and the banishment of Morton and his associates upon that account, it proceeds in these words: " And hearing of the young
 " behaviour through fulage counsal of
 " hir (the Queen's) husband, thay causit
 " mak offers to our said Sovereign Lady, gif
 " hir Grace wald gif remissioun to them
 " that were banished at that time, to find
 " causes of divorse, or then to get him
 " *convict of treason*, or what otherway to
 " *dispatch him*, which altogether hir Grace
 " refused, as is manifestly known."

* Cot. lib. Calig. book 1. fol. 282. Good. v. 2. p. 359.
 See page 124. of this Inquiry.

It is needless to use further arguments, while we have the best of authorities to support this writing of Huntly and Argyle, no less than that of Secretary Cecil himself. We have already said, that on the back of the copy of the protestation in the Cotton library, is pasted the original answer to it, signed by the Earl of Murray; and at the foot of this is written, by Secretary Cecil's own hand, this notandum: "19th January 1568. An answer of the Earl of Murray to a writing of the Earl of Huntly and Argyle*."

And after all, Dr Robertson seems fairly to give up the arguments used in the Dissertation against the reality of this writing of the Earls of Huntly and Argyle, by adopting the facts and substance of it in his history, and expressly referring to it for his authority†. I now proceed.

* Cot. lib. Calig. book 1. fol. 282.

Mr Strangue, in his life of Queen Mary, thus writes: "What the Earls of Huntly and Argyle did protest in this matter, I think good to set down *out of the original with their own hands*, sent to Queen Elisabeth, *which I have seen*." Folio, p. 35.

† Robertson's History, vol. 1. p. 386. octav. ed.

About this time it is pretended that the Queen entertained a criminal passion for the Earl of Bothwell; and for this we must rely upon the authorities of Knox and Buchanan. Dr Robertson on this point candidly owns, that "the ardour of these writers zeal, and the violence of their prejudices, render their opinions rash, precipitate, and inaccurate." Therefore, says our author, "it is by the *effects* of this reciprocal passion that we are to judge of its reality*." I join issue with the Doctor on this head. Let us now see the effects which this supposed passion of the Queen for Bothwell produced. We shall follow Dr Robertson in the instances he gives, as the criterion for judging of the Queen's passion.

The contempt, says our historian, under which Lord Darnley had fallen, and now by his own behaviour become universally hated and despised, had determined him to the resolution of leaving Scotland, and going into foreign parts. This resolution alarmed the Queen; to whom, says our author, it was very mortifying, because it would have spread the infamy

* Robertson, vol. I. p. 373. et seqq. oct. ed.

of their domestic quarrel all over Europe. She therefore used all her influence to prevent this measure.

Now let any man seriously consider, and say, if such would have been the conduct of a woman engaged in a criminal amour. In such a situation her husband's absence must surely have been what she most wished for. The Queen's contrary conduct on this occasion, is therefore a strong and convincing argument of her innocence. We proceed to another sort of argument used by Dr Robertson against the Queen.

While Mary was at Jedburgh, at which place on the border the whole neighbouring counties were attending her in arms at a court of justice, the Earl of Bothwell, as Lord Lieutenant of the marches *, being on his duty at Hermitage castle, eighteen miles distance, was wounded in an attempt to seize a gang of banditti who infested the border. On the news of this insurrection, and of Bothwell's being slain, the Queen, with an armed force, made a sudden march to the Hermitage; but finding

* An office to which he was appointed by the late Queen Regent, and not now promoted to by Mary's favour, as Dr Robertson has it.

the rioters had fled, she, the very same day, returned to Jedburgh.

This incident is painted out by Dr Robertson as a strong proof of Mary's love for Bothwell: The Queen's flying thither, says he, strongly marks the anxiety of a lover, but was unsuitable to her dignity as a Queen. To make a journey of eighteen miles, in the month of October, on an expedition against thieves, can be accounted for, concludes our author, from no other motive than love.

This reasoning seems more specious than solid. In arguing on facts of a remoter age, the manners of that age are to be considered, which differ very widely from the present. The peace of the border, and quelling insurrections there, had always been considered by our monarchs as an object worthy of attention. Mary's father, the high-spirited James V. had often in person quelled such disorders. Mary herself had before this made expeditions in the field. It plainly appears that an insurrection was premeditated on the border; and for preventing this, and holding a solemn court of justice, the whole country then attended the Queen in arms at Jedburgh

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burgh *. The rumour of the attack on Bothwell, we may believe, was greatly magnified, together with the contempt of the Queen's authority, then in the very neighbourhood: all this, with the consciousness of her strength to crush so audacious an insult, may sufficiently, and without any supposed love for Bothwell, account for Mary's sudden march to the Hermitage.

On the other hand, I apprehend Mary

* That a premeditated scheme was formed by Morton and his banished associates for rising in arms at this time, is plain from the Earl of Bedford, Lord Lieutenant of the English marches, his letter to Cecil of the 3d of August, *Goodall, vol. I. p. 304.* who thus writes. "The Queen (Mary) means shortly to go against the Laird of Cessford and his son, and to keep a justice-court at Jedburgh for that purpose; then Bothwell shall come with a force, and subdue all: but the gentlemen, as the Lord Home, Cessford, and Buccleuch, and the rest of the surname, promise to live and die with Cessford, and to withstand Bothwell, unless the Queen come in person. The Elliots, who we feared would become our open enemies, have sent to the Lord Warden and me to suffer them to lie five or six days on our borders; and we answered, As much as we might do without breach of amity, and as the treaty will any wise bear, we will show them favour; and they promise us all quietness and good neighbourhood." And again, by another letter, of the 12th of August, the Earl thus writes. "I have heard that there is a device working for the Earl of Bothwell, the particularities whereof I might have heard; but because such dealings like me not, I desire to hear no further thereof;" *Cotton lib. Calig. fol. 380. 382.*

acted

acted on this occasion the very reverse of what a lover would have done. Love, says our author, made her fly to Bothwell thro' eighteen long miles of bad roads, in the month of October. But let me ask, Upon her finding Bothwell slightly wounded, and the rioters fled, was it love that made her in such a violent haste return back the same night to Jedburgh, by the same tedious miles and impassable country? The Queen, we have seen, had a very plausible pretext for making the journey to the Hermitage. Surely if love had in any degree possessed her mind, it must have supplied her with many more as plausible reasons for passing that night in her lover's company, without exposing herself to the inconveniencies of an uncomfortable journey, and the inclemency of the night-air. I cannot on this occasion agree with Dr Robertson as a love-casulist. On the whole, I apprehend the Queen's behaviour in both the foregoing instances, are convincing testimonies on her side, that she was altogether free from any love-attachment whatever at this period.

Within a few days after the conferences in the castle of Craigmillar, viz. on Christ-

mas 1566, the Queen was prevailed upon to grant a pardon to the Earl of Morton, and to the number of seventy-five of his accomplices in Rizio's slaughter. This was the previous and necessary step of the confederates to the grand enterprize, which soon after, upon Morton's appearing again in the scene, was to take place.

Upon the 9th of February 1567, the Earl of Murray affected publicly to ask leave to go from court * to his house in St Andrew's, on pretence that his wife was indisposed †. And the next morning, the 10th of February, the King's house was blown up with gun-powder, and his body found dead.

Before we go further, it may not be improper to make a stop here for a little, and call back our attention to two facts that have occurred in the preceding narration, which appear to throw some light upon the dark affair of Darnley's murder.

We have recently seen the Queen's con-

* Keith, p. 365.

† Lefly, in his defence, hath told us, that Lord Herries asserted afterwards, in presence of Murray, that that day before the murder, Murray was heard to utter these words: "This night, before the morning, the Lord Darnley shall lose his life."

duct in preventing her husband's resolution of leaving the kingdom, only three months before his murder.

The other fact to be observed is, the proposal made by Murray and Lethington to the Queen in the castle of Craigmillar, to procure a divorce between her and Darnley, which the Queen utterly rejected.

Now, as both these incidents happened within so short a time of Darnley's murder, and at the time when his behaviour to the Queen was most shocking, at the very time too when her enemies pretend she was carrying on her criminal amour with Bothwell, is it natural to conceive that she should have rejected both these opportunities offered to her, of being so effectually freed from her husband without trouble, and rather chuse to involve herself in the horrid crime of his murder?

Should we suppose the reason of her rejecting the proposal of the divorce might proceed from an apprehension of doing hurt to her son's title, which it is improbable that a woman, so wicked as to be meditating the death of his father, could be much affected with; yet Darnley's project of going abroad, not only freed her
from

from the company of a troublesome husband, but likewise (if we can imagine her so wicked as her enemies have asserted) afforded her many opportunities, either of keeping him out of the kingdom, or of conspiring his death at a distance, by unknown hands.

Queen Mary's conduct therefore with regard to the above two facts, makes it altogether improbable, that at this time she could have entertained the most distant thought of her husband's death.

C H A P. IV.

The Queen's ministers at the time of Lord Darnley's murder.—Bothwell's trial and acquittal, by the conduct of Morton and the confederates.—Their association for promoting the Queen's marriage with Bothwell.—The same association against the Queen and Bothwell.—Remarkable forgery of the associates detected.—Apology for the Queen's marriage.—Her imprisonment in Lochleven.—Bothwell's flight to Denmark.

I Now proceed to examine the conduct of Murray and his confederates, subsequent to the murder of Lord Darnley.

Murray, we have seen, chose the very day before the murder to withdraw from court, and to go over the Forth to his castle of St Andrew's. Soon after, he returned to court, and with Bothwell, Morton, Lethington, and their party, was in high favour and confidence with the Queen*.

All

* It may not be improper here to give the reader a view of the principal officers of state, and chief persons, who, under Bothwell, Murray,

All the historians agree, that the Earl of Bothwell was one of the principal actors in the King's murder. The Earl of Morton
ton

Murray, and Morton, managed the affairs of the state at this time; *Keith*, p. 378.

Sir Richard Maitland of Lethington, Lord Privy Seal; William Maitland his son, Principal Secretary of State.

Robert Richardson, Commendator of St Mary's Isle, Treasurer; Mr John Spence, Lord Advocate; *Keith*, p. 335. and p. 378.

Sir James Balfour Lord Clerk-Register; Sir John Ballenden Lord Justice-Clerk; *Keith*, p. 378.

To whom we may add, Mr James Macgill and Mr Henry Balnaves; *Keith*, p. 332. and p. 335. in the notes.

These last, both Lords of Session, and much in repute at this time for their knowledge in the law.

All those men were known partisans of Murray and Morton, some of them accessory to Rizio's murder, and several of them alledged accessory to the murder of the King.— These were the junto, who, as we shall see, managed the mock trial of the Earl of Bothwell.— The very persons who soon after joined Morton in his rebellion, and in imprisoning the Queen in Lochleven, and composed his famous secret council, and that remarkable one wherein the regency was conferred upon their patron and leader Murray; *Keith*, p. 452. And, lastly, the same men who assisted Murray and Morton in their accusation and proceedings against Queen Mary at York and London; *Anderson*, vol. 4. p. 35. and *Goodall*, vol. 2. p. 109.

We shall add to the above remarks the following demonstrative evidence of the high favour and power which Bothwell, and his colleagues Murray, Morton, and Lethington, at this time possessed.

In the parliament held on the 14th of April, two days after Bothwell's trial, we find the following grants.

1. Ratification of several lands to the Earl of Bothwell.

2. Ratification

ton and Lethington, as we shall afterwards shew, were both of them accessories, and in the knowledge of that black affair; and Morton in his confession, at his death, expressly acknowledges, that Bothwell made him privy to the bloody design. We have no direct evidence, indeed, that Morton and Lethington communicated this affair to their friend Murray; we shall therefore leave it to the impartial reader, upon weighing all circumstances, to judge for himself of the probability of their keeping up this secret from their bosom-friend, hitherto so closely associated with them; and who was himself, according to their schemes, to be the chief gainer by Darnley's death. The part Murray was to play, as laid down by Lethington in the castle of Craigmillar, was "to look through his fingers, and be-
 " hold their doings, saying nothing *." How faithfully Murray acted up to this, we shall further see.

2. Ratification of the earldom of Murray, and other lands, to the Earl of Murray.

3. Ratification to Sir Richard Maitland of Lethington, the Secretary's father, of the barony of Blyth.

4. Ratification to the Earl of Morton; *Keith*, p. 379.

* *Vide* p. 206. of this Inquiry.

The general report having loaded Bothwell with the murder of Darnley, the Earl of Lennox, by several letters, addressed the Queen, to bring Bothwell and other suspected persons to trial *. The Queen accordingly gives orders for trying Bothwell, as guilty of the murder; and by a letter of the 24th of March, requests Lennox to repair to Edinburgh, with his friends, the approaching week †.

After this we find the Earl of Murray present at court until the 9th day of April, two days before Bothwell's trial was to proceed, when having obtained leave of the Queen, he departed for France. Having lent his assistance in preparing matters for Bothwell's trial, which was soon to follow, he most strictly adheres to his plan of retiring himself from the scene, leaving his faithful actors, Morton and Lethington, to perform the active part of the drama.

On the 28th of March, we find the Queen desiring the advice of her nobles and privy council; and the act of council of that day ordains trial to be taken against Bothwell, upon the 12th day of April fol-

* Keith, p. 372.

† Ibid. p. 373.

lowing *, before the high court of justice at Edinburgh. Besides the above letter of the Queen to Lennox, of the 24th of March, desiring his immediate presence, with his friends, at Edinburgh, the act directs public intimation to be made to the Earl to attend on the said 12th of April, the day of trial.

Lennox, in consequence of these intimations, sets out from his house near Dumbarton, which was but forty miles distant from Edinburgh, and comes to Stirling; from whence he writes to the Queen upon the 11th of April, the very night before the trial, excusing himself for not appearing there, on account, as he pretends, of his falling sick on his journey; at the same time he complains of the shortness of time allowed him for convening his friends, and requests the day of trial to be adjourned. This sudden change and resolution of the Earl of Lennox coming rather too late, the trial notwithstanding did proceed.

I make no scruple to affirm, that the whole procedure respecting the trial of the Earl of Bothwell, appears to be the re-

* Keith, p. 374.

sult of a premeditated scheme, contrived to have him acquitted, and the whole managed by Morton and his party. The Earl of Argyle, in right of his hereditary office of Lord Justice General, presided at the trial; but, as the custom was, assessors or assistants, of whom the most part were lawyers, were appointed to sit in judgment with him. The assistant judges appointed for the trial were the four following persons: The Lord Lindsay, one of the principal conspirators with Morton in the murder of Rizio; the Abbot of Dunfermline; Mr James Macgill, and Mr Henry Balnaves, Lords of Session; the whole four known confidants of Murray and Morton, and the persons who soon after accompanied their patrons, Murray and Morton, to England, acting as commissioners in the proceedings against their sovereign for this very murder, of which they now were pleased to acquit Bothwell*. Before these judges the Earl of Bothwell appeared in court, on the 12th April, accompanied by his confident the Earl of Morton, who stood impannelled with

* Ander. vol. 4. p. 35. and Good. vol. 2. p. 109.

him

him*; and none appearing to make good the charge or accusation, Bothwell in consequence was acquitted. It may be said that it was the jury, and not the judges, who here acquitted Bothwell. It is true, the verdict of the jury found him not guilty; but as the Earl of Lennox had publicly protested in court, that the trial should not proceed, until he could attend with his friends, these judges ought to have adjourned the procedure. So ended this mock trial†.

The

* Keith, p. 377.

† Had Lennox with his witnesses appeared, it is even said that the party who managed the trial were prepared with a shift or contrivance for eluding a proof, by casting the indictment against Bothwell altogether, as proceeding upon a manifest error. The indictment bears, that the murder of Darnley was on the 9th of February; whereas it was a known fact, that it actually happened on the 10th of February at two in the morning. Mr Hume insinuates as much as if the Queen had been accessory to the above contrivance. But I apprehend the argument arising from this fact, when considered, turns directly the other way, and against Morton, and the party who then directed the trial, as we have shown above. Whatever the Queen's inclination might have been, surely it will not be believed that she was so much conversant in the quirks and subtleties of the law, as to know that an error in an indictment would cast it altogether. To whom then shall we impute this contrivance? To the officers of court only, whose proper business it was to direct this matter;

The next event brought about by the management of the very same persons, headed by Morton, is the famous bond signed by him and the other nobles who at that time attended the parliament. In which deed they assert Bothwell's innocence, they promise to stand by him and support him with their lives and fortunes; and, to sum up all, they, with one voice, recommend him to the Queen, as the most proper person she could chuse for a husband; and if she would deign to elevate him to that high honour, they undertake to promote the marriage, and support him with their whole power against all mortals*. This infamous bond, says Dr Robertson, very justly, leaves a deeper stain, than any occurrence of that age, on the honour and character of the nation†.

The

ter; and who these officers were, we have already shown *viz.* Spence Lord Advocate or Attorney for the crown, and Sir John Ballenden the Justice-Clerk, both of them creatures of Murray's, and soon after promoted to be members of his secret council.

* Keith, p. 380.

† This bond is said, by the Earl of Murray's party, to have been procured by Bothwell in the following manner: The parliament

The reader, perhaps, may not be displeased with a recital of the conclusion of this bond, which is as follows: "And in

liament was dissolved on the 19th of April. That night Bothwell invited the whole nobility to an entertainment, when having filled the house with his friends, and surrounded it with armed men, he by that means prevailed with all that were present to sign the bond; *Robertson, v. 1. p. 353.*

The absurdity of this story is of itself sufficient to confute it, as it is incredible that Bothwell, in the midst of the city of Edinburgh, could compel almost the whole parliament to sign this deed, contrary to their own will: Or had he done so, would they not have retracted their consent, when they got out of his power? But this they never did.

If this most affected story, which was invented by Murray and Morton long after, needs a more solid confutation, what follows puts it beyond all doubt. That Bothwell's entertainment, known by the name of *Ainslie's supper*, happened on the 19th of April, the very night the parliament was dissolved, is a certain fact; but that any force was used to induce the nobles to sign the bond, we have no evidence; on the contrary, we have a direct proof, that this noted bond was not signed upon the 19th, the night of Bothwell's entertainment, but was signed on the 20th of April, the day after the entertainment. The copy indeed in the Cotton library, bears for its date the 19th April, but that copy is nowise authenticated as genuine. On the other hand, there is extant, in the Scotch college of Paris, a copy of this bond, duly attested by the hand and subscription of Sir James Balfour Lord Register at the time, who had the original bond in his custody, *Keith, p. 382.* This bond, according to Sir James Balfour's attestation, bears date on the 20th April, the day after Bothwell's entertainment, which is a plain confutation of the pretended story of force being used by Bothwell on this body of the nobility, in order to induce them to sign the bond.

" case

“ case any will presume, directly or indi-
 “ rectly,—to hinder or disturb the said
 “ marriage, we shall, notwithstanding,
 “ take part and fortify the said Earl (Both-
 “ well) to the said marriage, so far as it
 “ may please our said Sovereign Lady to
 “ allow, and therein shall spend and be-
 “ stow our lives and goods, against all that
 “ live or die may, *as we shall answer to*
 “ *God*, and on our own fidelity and con-
 “ science; and in case we do in the con-
 “ trary, never to have *reputation or credit*
 “ in no time hereafter, but to be account-
 “ ed *unworthy and faithless traitors* *.”

It is scarce possible for the wit of man
 to devise words more binding by every tie
 human and divine, than those of the above
 bond, subscribed by Morton and the
 Scotch nobility, in order to induce the
 Queen to this ill-advised and fatal mar-
 riage. Yet what a shocking reflection up-
 on the human heart is it, to think, that
 even Morton himself, one of the principal
 ringleaders in the association, should with-
 in little more than a month of this most
 solemn deed, rise in arms against his

* Ander. v. i. p. 111.

sovereign, head a rebellion, and dethrone and imprison her, upon this remarkable pretext, "That by her ungodlie and dishonourable proceeding in a private marriage with Bothwell suddenly and unprovoktly,—it is certain she was privy art and part of the murder of the King*."

The two historians, Mr Hume and Dr Robertson, from the bond's being subscribed by many of the Queen's friends, draw this inference, That this measure may be suspected to have been brought about by her approbation and consent; and from thence they draw a very strong conclusion against the Queen. I shall fairly recite their arguments: *First*, say they, Bothwell, to induce the Lords to sign the bond, gave out that the Queen approved of it. *2dly*, Murray and Morton, at the conferences at York, did actually produce a paper, which they said was the consent of the Queen, and a previous warrant for the nobles to sign the bond of association. And what Dr Robertson is pleased to say confirms and amounts to a direct proof of Queen Mary's approbation and consent to the

* Act of secret council. Good. vol. 2. p. 64.

above scheme, is the testimony of Sir James Melvill, who says, That he and his brother, having a secret correspondence in England with those who favoured the Queen's pretensions to that crown, he received a letter from them, representing in strong terms what would be the fatal effects of her marriage with Bothwell, which letter he showed to the Queen, and enforced with warmth; that she not only disregarded this remonstrance, but communicated the matter to Bothwell; whereupon, says Melvill, he was obliged to fly from court, until the Earl's rage was abated. Melvill in the same account tells us, that Lord Herries likewise remonstrated against the marriage, and conjured the Queen on his knees, to lay aside all thoughts of so dishonourable an alliance*.

I shall make answer to these pretended proofs of the Queen's consent, in the same order as I have stated them. And, *first*, There is no doubt that Bothwell would use every argument to induce the nobles to join in the bond of association in his favour; but this with no shadow of reason

* Robertson, vol. 1. p. 354. et seqq. 4to edit. Hume, vol. 4. p. 476. and 480.

can be regarded as a proof of the Queen's consent.

2dly, Of as little avail is the story of Murray and Morton, their pretending to show a paper or warrant under the Queen's hand, implying her consent. This we shall by and by prove to a demonstration to be a most gross forgery and imposition. We have already seen and examined several pieces asserted to be the Queen's, which came from the same mint, that will not pass as current coin. The arguments against these in general shall not be repeated.

Had there ever existed such a paper as this pretended consent of the Queen, would not those nobles, most of them the Queen's enemies, who had signed the bond, have insisted on this warrant of the Queen, by way of justification for their signing it? yet this they never pretended to do. "Conscious," as Dr Robertson admits, "that their conduct in this affair would redound little to their fame, the nobles always touch unwillingly upon it, and seem desirous that it should remain in darkness, or be buried in oblivion*." Is not this a tacit admission of the Doctor

* Robertson, vol. i. p 354. 4th edit.

himself, as if he was sensible that no great stress could be laid on this spurious paper? However, as this evidence has been introduced by these learned gentlemen, I must beg leave to examine him a little more narrowly before I let him pass.

The bond of association of the whole nobility and clergy, who attended the parliament, joining to acquit the Earl of Bothwell of being accessory to the King's murder, and recommending him to the Queen as a fit husband, was surely of great weight, and affords a very strong argument in her favour. At first glance, then, one must perceive of what importance it must have been to her accusers and enemies, most part of whom had signed this bond, to have taken off the force of that argument. We accordingly see them struggling hard to gain this point. The absurdity of being induced through fear to sign it, is equally ridiculous as false, and could never be believed. Besides, upon that supposition, the Queen was left innocent, as being imposed upon: and they themselves, as aiding and assisting in the imposition, ought immediately to have retracted their forced declaration: in place of which, according

according to Buchanan and Lethington's account at York, " next morning, after signing the bond, by four o'clock, few or none of them were left in the town, but departed *without taking leave* *."

To have shown, therefore, by an authentic writing signed by the Queen, that *before* the nobility signed the bond, they saw her giving a previous consent; this not only afforded a plausible excuse for their signing it at her desire, but became an evidence of Mary's passion for Bothwell, and inclination to marry him.

Now such a writing, says Mr Hume and Dr Robertson, was exhibited at York to the three English commissioners there, by Murray, Morton, Lethington, and George Buchanan, as the very first and chief piece of evidence against the Queen. Let us see now the conduct of these persons in their exhibition of this important writing; and that the reader may judge for himself, we shall set down the recital of their procedure, in the very words of the English commissioners †. " They (meaning Murray and Morton)

* Anderson, vol. 4. part 2. p. 60.

† The Duke of Norfolk, Earl of Suffolk, and Sir Ralph Sadler.

" sent

“ sent unto us the *Lord of Ledington, James*
 “ *Macgill*, and *Mr George Buchanan*, which
 “ *in private and secrete conference* with us,
 “ not as commissioners, *as they protested*,
 “ but for our better instruction, after de-
 “ claration of such circumstances as led
 “ and induced to vehement presumptions,
 “ to judge her guiltie of the said murder,
 “ shewed unto us a *copy of a band*, bear-
 “ ing date the *19th Aprile 1567*, to which
 “ the most part of the Lords and councellors
 “ of Scotland have put to their hand, and,
 “ as they say, more for fear than any
 “ lyking they had of the same; which
 “ band conteyned two points; the one a
 “ declaration of Bothwell’s purgation (ac-
 “ quittal) of the murder of Lord Darn-
 “ ley, and the other a general *consent* to
 “ his marriage with the Queen:—*And yet*
 “ *in proof that they did it not willingly. they*
 “ *procured a warrant, which was now shew-*
 “ *ed unto us*, bearing date the *19th of April*,
 “ signed with the Queen’s hand, whereby
 “ she gave them licence to agree to the
 “ same; affirming, that *before they had such*
 “ *warrant*, there was none of them that
 “ did or would set to their hands, saving
 “ only the Earl of Huntly *.”

* Anderson, vol. 4. part 2. p. 59.

We here see with what caution this paper is mentioned and shown to the three commissioners at York, *privately* and *in secret conference*, and under a protest that in this they acted *not as commissioners*. This circumsppection is very remarkable:—we shall see their reasons for it.

Queen Elisabeth, after this, calling the whole commissioners on both sides to attend her council at Westminster, there, as has been related, the whole evidences which could in the least infer any presumption of guilt against Mary, are produced, and laid before Queen Elisabeth and the English nobility in council. This very material writing, importing the Queen's consent and warrant to the nobility for signing the bond of association, will, no doubt, be thought to have figured conspicuously in the black list of evidences there produced against her, which are particularly enumerated and set down in the several journals at Westminster: yet, to our astonishment, no such paper appears among them, nor from first to last, during the whole procedure before Queen Elisabeth and the English nobility, is one word mentioned of this most important paper. This behaviour of

Murray

Murray and Morton is most striking! Let us examine their reasons for this mysterious way of proceeding, and for keeping back and concealing so material a piece of evidence which they had shown before at York.

The credibility of the pretended *love-letters* and *sonnets* which they produced against Mary, depended entirely on Murray and Morton's own affirmation, and Mary's denial, neither of which could directly be refuted, particularly *their* affirmation, while they took care to keep the letters in their own hands, and to refuse her a sight of them. It was quite a different matter with regard to this paper or consent of the Queen, which, according to Lethington and Buchanan's tale at York, was produced and shown to the whole Scotch nobility and clergy, and was the *motive* which induced them, otherwise unwilling, to sign the bond in Bothwell's favour. If this fact had been true, this *previous* consent from the Queen was their only justification; but if false and forged, what was the consequence of Murray's thus openly producing such a barefaced imposture? No other sure than this, that Mary's commis-
sioners

tioners at London, the Bishop of Ross, the Lords Boyd and Herries, who all had signed the bond, must instantly have got notice of, and publicly detected the imposition *.

* That Murray durst not venture to produce to the English council so glaring a forgery as this pretended previous consent of the Queen, which would instantly have been detected, we have the best of authority for affirming, *viz.* the declaration of many of the Scotch nobility themselves, who had signed the bond in favour of Bothwell; which I shall give in their own words, in the instructions signed and sent by them to England in vindication of Queen Mary; *Cot. lib. Good. vol. 2. p. 361.*

“ And in cais it be allegit, that the marrying the Erle of Bothwell is ane greit suspicioun of hir Hiennes’s knowlege (of the murder), it is answerit, That *besoir* ever that marriage was laid to hir Grace’s charge, the maist part of the nobilitie, and principallie of the usurpers, sic as Morton, Lord Sempill, Lord Lindsay, and Sir James Balfour, gave thair consent to the Erle of Bothwell; and, to remove all suspicion, they declarit him innocent.” (Signed)

John Archbishop of St Andrew’s

<i>Eglinton</i>	<i>Argyle</i>	<i>Huntly</i>
<i>Fleeming</i>	<i>Cassilis</i>	<i>Crawford</i>
<i>Glenluce</i>	<i>Maxwell</i>	<i>Erroll</i>
<i>Sanguhar</i>	<i>Oliphant</i>	<i>Oziley</i>
<i>Rosse</i>	<i>Drummond</i>	<i>Somerville</i>
		<i>Zester</i>

In the same strain is the Queen’s declaration: “ I never,” says she, “ condescendit to the marriage, untill the greatest part of the nobility had cleared him by affize, and ratified the same in parliament, and had given thair consent to him for my marriage, and solicited and persuaded me thairto, as thair hand. writing will testifie.” *Queen Mary’s register, Cot. lib. Good. vol. 2. p. 342.*

These public declarations on the Queen’s side, Murray and Morton thought it proper never to contradict to the public.

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Besides,

Besides, as such a paper produced was a public appeal for the truth of their story to the whole Scotch nobility who had signed the bond of association, several of Murray's adherents, who had joined with him upon honest principles, and in the belief of his sincerity, must from this shameless and impudent falsehood have seen his views, and the vile means by which he prosecuted his design, and must therefore have abandoned him. The eagerness of the forger was here, as in the act of privy council, with great prudence restrained, as too dangerous to be ventured upon at this conjuncture, before so many witnesses who must certainly have detected him.

If further conviction of the above gross imposture is still wanting, we shall now produce a witness, against whose testimony, in this case, no manner of objection can lie, either upon the head of ignorance, or prejudice in favour of the Queen. This shall be no other than Mr *George Buchanan* himself, who, at York, as the three English commissioners have declared, was the very man who shewed this pretended writing or consent, under the Queen's hand, *privately and in secret conference with them.* The
same

same Buchanan, in his history, which he published some years after this transaction, has publicly given the lie to his former private story at York, by contradicting the same, and assuming in express words, "That the whole Nobility signed the bond at Bothwell's entertainment, upon his own solicitation only, because it might be useful to him, and the means of prevailing with the Queen to listen to his proposal;" upon which, says our author, they all signed the bond in Bothwell's favour, without seeing any previous writing or consent from the Queen, or without any force being used*.

Buchanan

* Bothuelius, nobiles omnes supremi ordinis qui aderant (aderant autem permulti) ad coenam invitat. Ibi, solutis ad hilaritatem animis omnium, in praesentia autem *petebat*, ut cum Reginae ambiret nuptias, *libello quem ea de re confecerat, illi subscriberent id sibi, & ad principis voluntatem conciliandum utile, & apud ceteros homines honorificum futurum*. Re tam subita & inopinata omnes attoniti, cum neque moestitiam dissimulare possent, nec abnuere quod petatum esset auderent, paucis qui Reginae animum explorare habebant praesentibus, reliqui ignari quantus assentatorum numerus foret, alii aliis suspecti, omnes subscribunt. Post idie, cum inter se quid egissent retractarent, quidam ingenue professi sunt, nisi Reginae existimassent rem gratam fore, se nunquam assensuros; nam praeterquam quod res parum honesta & publice damnosa esset, periculum quoque fore, ut si, orta discordia, Bothuelius rejiceretur, ne ipsis aliquando daretur crimini, quod *Reginam prodidissent, atque ad nuptias parum honorificas ipsam compulissent*. Igitur, dum res integra est, ejus voluntatem explorandum, scriptumque manu ipsius signatum impetrandum: quo

Buchanan adds, That *the next day*, the Nobles, on reflecting that it might afterwards be laid to their charge, *that they had betrayed the Queen, and compelled her into an infamous marriage*,—they therefore solicited, and obtained, a writing under her hand, expressing, that what they had done was agreeable to her. This direct confutation by Buchanan himself of his former story, of the previous consent of the Queen, shewn by him at York, I leave to the two latter historians to reconcile in the best manner they are able.

It is seldom that Buchanan speaks truth; in this last account, however, he fairly confesses, that the writing signed by the Queen, was anxiously solicited by the Nobles from her *the day after* they had signed the bond. This likewise contradicts another part of his former story at York; where it is asserted, “that the Nobles who had signed the bond, “left the town early next morning by four “o’clock, *without taking leave*.”

The fact appears to be this: Morton and Bothwell having obtained the subscriptions of the Peers to the bond, and

scripto, sibi, quod de nuptiis actum ab illis esset, gratum esse ostenderet. Id facile impetratum, Comiti Argathelia, custodiendum, consensu omnium, traditur; *Buch. lib. 18. p. 355.*

by

by that and their other machinations induced the Queen to consent to the marriage with Bothwell, then, when every thing was settled on the 14th of May, the very eve of the marriage, and near *a month after* they had signed the bond, in order to screen themselves from being afterwards called to account for the infamous association they had entered into, they prevailed upon the gentle disposition of the Queen, at the favourable minute when to her it appeared that all parties agreed to this marriage, to sign a writing, not as Buchanan falsely says, expressing, that their signing the bond of association was agreeable to her, but granting a pardon to them and their heirs for any accusation that might afterwards be brought against them on that account. A copy of this writing is still extant in the Cotton library *, which I shall give to the reader *verbatim*. It follows the bond of association, with the annexed title, which shews that it came not from the Queen.

* Calig. C. i. folio i.

*To this (bond) the Queen gave her consent *
the night befor the marriage, quhilk was
the 14 day of May, the zeir of God forsaide,
in this forme.*

“ **T**HE Quene’s Majestie having seen
“ and considerit the band above writ-
“ ten, promittis; in the word of a princefs,
“ That she, nor her successors, fall never
“ impute as cryme or offence to any of the
“ personis subfcryvers thair of, thair con-
“ sent and subscription to the matter a-
“ bove written thairin contenit; nor that
“ thai, nor thair heires, fall never be *cal-*
“ *lit* nor *accusit* thairfor; nor zit fall the
“ said consent or subscribing be ony dero-
“ gatioun or spott to thair honor, or thair
“ esteemit *underwtifull subjects for doing thair-*
“ *of*, notwithstanding whatsomever thing
“ can tend or be allegit in the contrary.”

Here truth, in spite of opposition, bursts forth. If the Queen had granted a pre-

* The tenor of the paper shews the direct contrary; and that the Queen gave no consent to the Nobles to sign the bond, tho’ she pardoned them afterwards for signing it.

vious consent to sign the bond, there could have been no occasion for the Nobles to have solicited (as Buchanan is forced to confess) from her a pardon for their signing the bond, near a month after, as the paper itself, still on record, shews.

From the whole chain of evidence, which from the very mouths of the confederates themselves clearly detects as gross a forgery as ever was imposed on the public, I can scarce imagine any persons, but such as are resolved to shut their eyes against the strongest light, who will not see the base practices and forgeries of those men who had combined against their unfortunate Queen, by her destruction, to seize the government of her kingdom.

I have been more full in the investigation of this matter, which appears to me to have escaped the observation of the writers on the Queen's side, as it proves to demonstration a foul attempt made by her accusers, though privately, and for good reasons afterwards buried in silence, by a manifest forgery, to cut off from her the strong evidence of her being led into the fatal marriage with Bothwell by the solicitation of her whole nobility. This we have
seen

seen has been revived by the two last historians, who from this ground have made a very formidable attack against the Queen. But as they have erected their battery upon false and hollow ground, the whole must sink to the bottom, and lie buried under its own ruins.

Next, as to Melvill's story, of his letter which he pretends he received from some of the Queen's friends in England remonstrating against the marriage; it is now known, that that gentleman's correspondence in England lay more among the enemies of the Queen than her friends. This the learned Goodall has brought unquestionable proofs of. Melvill, when employed in the service of Queen Mary when in France, made offer of his services to Sir Nicholas Throckmorton, the English ambassador at Paris, and procured a letter of recommendation from him to Secretary Cecil, in these words. "I have not found
 "any," says Throckmorton, "in my opinion so meet to be used and entertained
 "for *the Queen's Majesty's service* as James
 "Melvill*." By the same recommendation he after this obtained a pension from

* Goodall, Preface to his 1st volume, p. 18.

Elisabeth *. For more particular instances of his duplicity and infidelity to his sovereign, the reader is referred to Goodall, and to his own memoirs, as a proof of his attachment to Murray. We apprehend, therefore, that little stress can be laid upon Sir James Melvill's authority against the Queen. As to what he has ventured to assert of Lord Herries's remonstrance on his knees to the Queen against the marriage, which, he says, was some time before she went to Stirling, on the 22d of April, we have pretty convincing evidence to the contrary of this fact. The bond of association of the Nobility was signed by Lord Herries among the rest; and we find the same Nobleman a signing witness to the marriage-articles, which soon followed. Dr Robertson candidly is willing to allow, "that perhaps Melvill may have committed some mistake with regard to this fact as far as relates to Lord Herries." He adds, "He could not well be mistaken with regard to what himself did." True in-

* His father Sir John Melvill had been condemned by the Scotch parliament, in 1548, for a treasonable correspondence with the English. The son laid claim to their favour on the same account.

deed, he could not there mistake; but a pensionary of Queen Elisabeth, and the friend and partisan of Murray, could invent the whole from his own brain to vindicate the party, and to show his importance, as he has done on other occasions.

After all, the most exceptionable step in Queen Mary's conduct, appears to be her consenting to marry the Earl of Bothwell, the person aspersed with being concerned in the murder of the Lord Darnley. That Mary believed him innocent, and that the association of the Nobility in his favour must have served to confirm her in that opinion, we must allow. To absolve her from any participation of guilt on that account, is no more than doing her justice; at the same time, to acquit her altogether of indiscretion, in suffering herself to be precipitated into so rash and ill-advised a measure, I shall not attempt: that fatal step gave to her enemies, who lay in wait to undo her, every advantage, and hastened her ruin.

The Queen's enemies have made her marriage with the Earl of Bothwell the test or proof of a supposed previous criminal amour between them; hence her accession

to

to the whole crimes with which they have thought proper to load her, is presumed. However, when the unhappy situation of this ill-fated princess, at that fatal period, is attended to, humanity ought rather to induce us to pity her misfortunes, than to aggravate these into crimes. Candour must acknowledge, that her virtue and conduct were unblemished and irreproachable from her infancy, until the death of her husband Lord Darnley. It is not therefore so easy to conceive, how a princess, possessed of every grace that could adorn woman, should at once, from the throne of virtue, sink into the abyss of vice, and all from the most violent passion of love, with which it is supposed she was intoxicated; and the object of her passion an old man! Mary was then scarce twenty-four years of age, in the full bloom of youth and beauty, while Bothwell was already declined in the vale of years *. This in a romance would be shocking

* We cannot suppose Bothwell at that time to have been under sixty. For ascertaining this fact, we shall take the authority of Buchanan, Bothwell's cotemporary. According to our author, James Earl of Bothwell made a considerable figure in the reign of King James V. before his marriage with Mary of Guise, Queen Mary's mother, and at that time was banished for holding secret correspondence

shocking to credibility, and would at least require more solid and convincing proofs, than presumptions founded upon an ill-advised marriage, into which the necessity of the times, and the deep-laid schemes of a confederacy for her destruction, may with more reason and much more humanity be supposed to have precipitated the unfortunate Queen Mary. Let us consider this matter a little further, what degree of me-

correspondence with the English. After the King's death he returned to Scotland, and was rival to the Earl of Lennox, (father to Lord Darnley), as suitor to the Queen-dowager. *In hæc*, says Buchanan, *cum Levinius & natura proclivis & aulæ Gallicæ consuetudine exercitatus esset, accessit æmulus Jacobus Heburnus Comes Bothueliæ; — is enim a Jacobo Quinto relegatus, ac statim, eo mortuo, domum reversus, eisdem artibus Regina viduæ nuptias ambiebat, & eminebant in utroque naturæ & fortunæ dotes; Buch. lib. 15. p. 276. and p. 285.* This agrees perfectly with the same author's account of Bothwell in his *Detectio*, and proves that he must before his marriage with Queen Mary, have been an old man. Buchanan mentions the Lady Reres as an old woman, who, in her youth, had been a mistress to the Earl of Bothwell. "*Reresia, quæ inter pellices Bothuelii fuerat, nunc inclinata ætate ad Lenociniam se contulerat* : And again, *Reresia, mulier & ætate & corpore gravis; Detectio, p. 2. and 3.* That the above James Earl of Bothwell was the identical person who afterwards was Queen Mary's husband, is certain from this fact, that he was the only Earl of that family of the name of James. His father was Patrick Earl of Bothwell, and his grandfather Adam, who was killed at Floudon. This is proved by an authentic evidence in the Appendix, N^o 2. the original of which is in the archives of the family of Hamilton.

rit the Earl of Bothwell had acquired, and the Queen's situation at the unlucky period of her marriage with this Nobleman. James Earl of Bothwell, hereditary High Admiral of Scotland, was the head of an ancient family, and by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. His valour in the wars with the English in the late Queen Regent's time, had advanced him to be her lieutenant-general, and warden of the marches. I shall chiefly follow Dr Robertson. "When almost every person of distinction in the kingdom, whether Papist or Protestant, had joined the congregation in opposing the encroachments of the French upon the liberties of the nation, the Earl of Bothwell adhered to the Queen Regent, and acted with vigour on her side. The success which attended the arms of the congregation having obliged him to retire to France *, he was taken into the Queen's service, and continued with her till the time of her return to Scotland. From that period every step of his conduct towards Mary was re-

* At which time his houses and rich moveables were sacked and destroyed; *Keith*, p. 588.

"markably

“ markably dutiful ; and amidst all the
 “ shiftings of faction, we scarcely ever
 “ find him holding any course which could
 “ be offensive to her.” I must here beg
 leave to add a sentence to the Doctor’s ac-
 count. For this fidelity and dutiful at-
 tachment to his sovereign, he was hated
 and detested by Murray, who had very
 opposite views for himself, and therefore
 had the influence, in spite of Bothwell’s
 services, to procure his banishment a se-
 cond time. “ When Murray’s proceed-
 “ ings with regard to her marriage gave
 “ *umbrage* to the Queen *, she recalled
 “ Bothwell from that banishment into
 “ which she had with reluctance driven
 “ him ; and considered his zeal and abili-
 “ ties as the most powerful supports of her
 “ authority. When the conspirators against
 “ Rizio seized her person, he became the
 “ chief instrument of recovering her liber-
 “ ty, and served her on that occasion with
 “ so much fidelity and success, as made the

* Murray, as we have seen, took the field, and appeared in
 open rebellion against his sovereign at that time. The Doctor
 is rather modest in this account of Murray’s rebellion, which
 threatened the lives and liberties of the Queen and her husband ;
 this no doubt gave *umbrage* to the Queen.

“ deepest

“deepest impresson on her mind, and
 “greatly increased the confidence which
 “she had hitherto placed in him.”

The inference Dr Robertson makes from this account of Bothwell, his services and attachment to Queen Mary, is, that he could scarce fail of captivating her heart. From the Doctor's premisses, I must own I think a very different conclusion may be drawn; and that the Queen, possessed with the highest esteem and gratitude for this old nobleman's services, might never have felt the smallest emotion of love for him. I shall grant, that it was surely no easy matter for Mary to believe him guilty of the crime attributed to him, without proof, which she never received. It was no wonder she listened to every testimony in favour of his innocence. His trial, and acquittal, in which it does not appear she had any hand, confirmed by parliament, with the association of the nobility in his favour, must have therefore rendered him altogether guiltless in her eyes.

It is here to be remarked too, that, with many excellent qualities, Mary was amazingly credulous, even to a degree of simplicity and folly. Open, honest, and unsuspicious herself, she believed others equal-
 ly

ly so, and trusted to the fair speech and profession of those whom she thought her friends. This peculiar weakness, though strongly characteristic of Queen Mary, is overlooked by her historians, though many striking instances prove it to a certainty of truth. Witness her reinstating and placing the most unbounded confidence in her bastard-brother, the Earl of Murray, after repeated instances of his treachery, and conspiring against her life and liberty. The same may be said of her conduct to Morton and his confederates; and to crown all, her rushing with her eyes open into the snare so often spread for her destruction, and contrary to good advice, sound experience, and common sense, credulously trusting herself to the false professions of a jealous rival, of whose steady hate and enmity the unfortunate, but unwise, Mary had heretofore received sufficient proof. All manifestly evidence Mary's weakness on this head, which through the whole course of her life, as well as in this fatal instance of her unfortunate marriage with Bothwell, was the cause of her ruin.

Mary's situation too at this time was surely piteous. The tide of the Reformed religion

religion breaking in, and surrounding her on every side, had reduced her affairs to a very unhappy situation. The populace, by the influence of the clergy, averse to her government; and great part of the nobility, always too powerful for the throne, now from their interested views of sharing in the spoils of Papacy, tottering to its fall, were jealous and discontented; a constant series of conspiracies and rebellions carried on against her, fomented and supported by Queen Elizabeth; her Secretary Rizio lately assassinated in her presence; her own life threatened; and soon after her husband murdered in the most open manner by the same confederacy: on the other hand, her assured friends few, of whom the Earl of Bothwell may be reckoned at the head, with the solicitation of the whole nobles in his favour, herself a helpless woman, at an age too when youth may be allowed to plead an excuse for errors of indiscretion, which riper years might with difficulty perhaps have avoided *: when all these considerations

* Humanity, says Dr Robertson, may perhaps prompt some to impute her actions to "her *situation more than to her dispositions*, and to lament the unhappiness of the former, rather than

considerations are duly and without passion weighed, the reader may give judgment. I now return to my subject.

No sooner was this unhappy marriage concluded, than Morton, Lethington, and the rest of the party, hitherto the pretended friends and adherents of Bothwell, began quickly to throw off the mask. These very men, the associates of Morton *, who had been the chief instruments employed in the mock trial, and acquitting of Both-

than accuse the perverseness of the latter ; *Octavo Edition*, vol. 2. p. 175. — This admission of Dr Robertson is candid and humane.

* viz. Lord Lindsay, Pitcairn Abbot of Dunfermline, Sir John Ballenden Lord Justice-Clerk, and Macgill and Balnaves, Lords of Session, all of whom we have seen sat as judges in Bothwell's trial, and acquitted him of the murder. Morton himself, the Lord Ruthven, and Bothwell Bishop of Orkney, subscribed the infamous bond of association in favour of Bothwell. The same Bishop of Orkney appears to have been so much in the confidence of the Earl of Bothwell at the time of his marriage, that he was made choice of to perform the marriage ceremony between the Queen and him.

The writers against the Queen, talk of the improbability of this scheme of Morton and his party, in promoting Bothwell's marriage with the Queen, with a view to ruin them both ; *Robertson*, vol. 1. p. 2, 4 and *Dissert.* p. 4. But positive and plain facts will not easily bend to fine and specious arguments ; and no reason, on the other hand, can with any degree of consistency be given for Morton and his confederates eagerness and activity in first promoting this marriage, and in a few days after taking arms against the Queen, but what is above assigned.

well

well for the murder of the King ; who had brought about the infamous bond asserting Bothwell's innocence, addressing the Queen to marry him, and solemnly binding and engaging themselves to support him with their lives and fortunes; these were the men who, immediately after the marriage, formed an association against the Queen and this very Bothwell; and so closely had they carried on their measures, that within three weeks after the marriage, they were ready to have made the Queen and Bothwell prisoners in her own palace*.

The Queen and Bothwell having a hint given them of the conspiracy against them, they, on the 6th of June, made a very narrow escape from Holyroodhouse, and came to the Earl of Bothwell's castle of Borthwick; from thence they went to Dunbar; and in a few days thereafter, the Queen having hastily called together a handful of such of her subjects as could be easily convened, she and Bothwell marched towards Edinburgh, and were met by the Earl of Morton and his party,

* Keith, p. 398.

with a far superior force, at Carberry hill, about five miles from that city.

Many of the nobility, such as Athol, Mar, and others, from a real conviction of Bothwell's being principally concerned in the late King's murder, and apprehension of danger to the young Prince, had by this time joined with Morton and his party. An interview was brought about between the Queen, and Sir William Kirkaldy of Grange on the part of the rebels, who required no other terms than those of her dismissing Bothwell from her presence, and promising, on that condition, all dutiful obedience to the Queen *. She, relying on the faith of this treaty, and to avoid bloodshed, directly went over to the opposite army, and delivered herself implicitly into their hands †. How well these gentlemen kept their faith, shall be shown.

Dr Robertson has, in very strong colours, painted the vile indignities offered to this unfortunate princess, and the shocking spectacle exhibited to an influenced rabble,

* Robertson, vol. i. p. 366. and Melvill, p. 161.

† The Queen's behaviour on this occasion, in parting with Bothwell, and going over to the opposite side, without endeavouring to make any terms for his safety, shows pretty strongly that at this time she was entirely free from any passion for him.

of a crowned head, dragged along the streets of her own capital like a malefactor. As the picture is masterly, and well painted, the reader will not be displeased with a view of it in this place.

The Doctor introduces his narration in these words: "As soon as Bothwell retired, Mary surrendered to Kirkcaldy; who conducted her towards the confederate army. The leaders of which received her with much respect; *and Morton, in their name, made ample professions of their future loyalty and obedience.* But she was treated by the common soldiers with the utmost insolence and indignity; they poured upon her all the opprobrious names commonly bestowed on the lowest and most infamous criminals. Where-ever she turned her eyes, they held up before her a standard, on which was painted the dead body of the late King, stretched on the ground, and the young Prince kneeling before it, and uttering these words, *Judge and revenge my cause, O Lord!* Mary turned with horror from such a shocking spectacle; she began already to feel the wretched condition to which a captive prince is reduced. She uttered the most bitter complaints, she melted

melted into tears, and could scarce be kept from sinking to the ground. The confederates carried her towards Edinburgh;—the streets were covered with multitudes, whom zeal or curiosity had drawn together to behold such an unusual scene. The Queen, worn out with fatigue, covered with dust, and bedewed with tears, was exposed as a spectacle to her own subjects, and led to the provost's house; and, notwithstanding her intreaties, the same standard was carried before her, and the same insults repeated." The Doctor adds, "The people beheld the deplorable situation of their sovereign with insensibility; and so strong was their persuasion of her guilt, that the sufferings of their Queen did not in any degree mitigate their resentment, or procure her that sympathy which is seldom denied to unfortunate princes."

On this narration I must beg leave to make a remark or two. It is said, that Morton and his friends, the leaders of the band, received the Queen with much respect, and made ample professions of their future loyalty and obedience; but that the common foldiers treated her with insult and indignity; and, according to the Doctor,

tor, we are to understand that all the insults and indignities offered to the Queen, was from the common soldiers and the mob. But a very little attention to the circumstances attending this affair, will easily convince us, that Morton and his associates, the leaders, conducted the whole; and that the mob, who thus openly insulted their sovereign, were influenced and spirited on by them. Neither the mob, nor the soldiers, could have directed the Queen to be exposed in so indecent a manner, carried along the streets of Edinburgh, and lodged in the provost or mayor's house, which was situated in the upper or higher part of the city, when the Queen's own palace of Holyroodhouse was situated at the lower or east end of the city, and directly in the road from Carberry hill. The shocking standard too, a device previously contrived to influence the rabble against their Queen, was above the reach of thought or invention of a blind mob, and to demonstration shews from what quarter it came, and that nothing in the power of human invention was omitted by Morton and his associates to influence the unthinking commonalty against their Queen,

Queen, to extinguish every sentiment of pity or compassion for the miserable situation to which they had reduced her, and to excite them to give their assent to the more violent measures which were soon to follow.

I can find no authority the Doctor has for his conclusion: "That the people were *so strongly persuaded of the Queen's guilt,*" "that they beheld her sufferings with insensibility, and did not in the least degree mitigate their resentment." He quotes Melvill and Buchanan; in neither of which authors can I find any such passage; on the contrary, Buchanan gives a very different conclusion to the story, "and that many beheld with commiseration the sad reverse of fortune of their unhappy Queen *." This account also precisely agrees with Crawford's manuscript; the words of which are, "The honestest sort among the citizens, stung with remorse and pity, crowded to the place; and had certainly set her at liberty, if the conspirators, who knew the honest temper

* Cum vero, lacrimabunda, per fenestram in publicum precipiceret. et concursus populi eo fieret, nec desissent qui hanc miserabilem fortunæ mutationem commiserarentur; *Buchan. hist. lib. 13.*

“ of the Queen, had not, with a well-
 “ feigned grief, protested, they were sorry
 “ they had given her such cause of com-
 “ plaint, and that they would instantly
 “ restore her to her palace of Holyrood-
 “ house*.” This indeed they did that
 evening; but to prevent any attempt of
 a rescue, she was, says Bishop Lesly, “ in
 “ the night privily conveyed, and with
 “ haste, in disguised apparel, to the strong
 “ fortress of Lochlevin†, and after a few
 “ days stripped and spoiled of all her
 “ princely attirements, and cloathed with a
 “ coarse brown cassock‡.” We have only
 to add, that the person who undertook
 the infamous office of carrying his sove-
 reign a captive to her prison, was the Lord
 Lindsay, Morton’s close friend, who had
 been a confederate with him in the mur-
 der of Rizio, for which the Queen had

* Crawford, p. 39.

† The choice they made of this place for the Queen’s pri-
 son, shews pretty plainly Murray’s knowledge and concurrence
 in the schemes going on: the Lady Lochlevin, who there resided,
 was mother to the Earl of Murray, and it is said used to insult the
 captive Queen, by telling her that her son (Murray) was the
 true heir to the crown, as the legitimate son of James V. to whom
 she pretended she had been married.

‡ Ander. v. i. p. 36.

generously pardoned them both, and recalled them from banishment only six months before this period *.

* In order to give some colour for their breach of faith, and confining the Queen a prisoner, Melvill, whose authority may be taken against her, says, That Morton and his party gave out that they had intercepted a letter from Mary to the Earl of Bothwell, the very night she put herself into their hands, in which she promised never to forsake him. — It is remarkable that this letter, if ever such existed, must have been in Morton's hands; yet was never mentioned nor produced by the confederates before the commissioners in England; which shows pretty evidently the same to have been a mere fiction, contrived to answer the present exigence of their breach of faith, and the imprisonment of their Queen, and, having answered that end, was afterwards never thought of.

Mr Hume inclines to think this letter was a fiction of the associates: "The reality of this letter," says he, "is somewhat disputable, chiefly because Murray and his associates never mentioned it in their accusation of Mary before Queen Elisabeth;" *Hume, vol. 4. p. 483.* Here at least is somewhat of an admission, that these associates had on occasions recourse to forge letters in their Queen's name.

C H A P.

C H A P. V.

Conduct of the confederates with regard to Bothwell.——Embassy by the Regent Lennox to the King of Denmark for delivering up Bothwell.——Morton's behaviour on that occasion.——Murray's treachery to the Duke of Norfolk.——His ambiguous conduct as to Lethington.——His assassination.

THE pretence given out by Morton and his associates for taking arms against the Queen and Bothwell, was to revenge the King's death, and to prosecute his murderers, and chiefly Bothwell, whom they asserted to be the principal person concerned in it. Notwithstanding, upon the Queen's delivering herself into their hands on the 15th of June, although they broke their faith, and sent her prisoner to Lochleven, yet they allowed the Earl of Bothwell to retire from the field almost alone, without attempting to follow him. He went straight to Dunbar castle, where he quietly remained until the 26th

of June; at least, of that date, we find an order of Morton and his council for summoning "the keeper of Dunbar castle to
 " surrender the same, because the Earl of
 " Bothwell was refet and received within
 " the said castle *."

This was surely a civil intimation for this alledged criminal to shift his quarters. How long after this he chose to abide there, does not appear. Some time after, as high admiral of Scotland, he went to sea, with some few ships under his command, and cruised along the northern coast, until the 11th of August; when a commission was issued to Murray of Tullibardine, and Sir William Kirkaldy of Grange, to provide ships, "and to pursue the Earl of Bothwell, by sea or land, by fire and sword." In consequence of which, a fleet being sent after him, Bothwell fled to the coast of Denmark; where, by some of the King of Denmark's ships, he was taken prisoner, and carried to Denmark: "They were glad
 " (says Crawford's manuscript) of his
 " escape from Carberry hill; for no man
 " pursued him, nor did any offer to attack

* Keith, p. 403.

" him

“ him at Dunbar, whither he retreated, and
 “ staid at least fourteen days. — And in-
 “ deed, if Grange had taken him at Ork-
 “ ney, it is more than probable (lest he had
 “ betrayed his accomplices) that he had
 “ been sacrificed on the spot*.”

The confederates having thus secured the Queen a captive in their own hands, and expelled Bothwell the kingdom, they completed their scheme, by wresting the reins of government from their sovereign, and seizing them into their own hands. What follows belongs to the historian to relate, and does not fall within my plan. The part which the confederates, with Murray at their head, acted, in accusing the Queen of the murder of Lord Darnley before Queen Elisabeth, by which Murray secured to himself, by Elisabeth's means, the regency of the kingdom, has already been shown. And thus matters rested as to any further inquiry after Bothwell, during Murray's life.

After the death of the Earl of Murray, the Earl of Lennox, father to the Lord Darnley, having succeeded him in the re-

* Crawford, p. 54. Vide supra p. 169.

gency,

gency, he sent over, in the year 1570, one Thomas Buchanan, as his minister to the court of Denmark, to solicit that king to have the Earl of Bothwell sent home, and delivered up to him. This embassy had not the effect of procuring the Earl of Bothwell to be delivered up. We learn, however, that Mr Buchanan sent over an account of his transactions to his master Lennox, which it is probable contained some particulars from the mouth of Bothwell relating to the murder. These, it would appear, were not thought proper to be exposed to light. The Earl of Morton at this time was at London, negotiating to have Queen Mary, then in England, still detained prisoner. It is probable that this embassy of Buchanan's to Denmark was not relished by him. He appears to have been suspicious of some discoveries from that quarter. He had the address, therefore, to intercept the above packet from Buchanan, and the boldness to open and peruse the contents, though addressed to his master Lennox only. For proof of this fact, we have Morton's own letter to the Regent Lennox still preserved, though Buchanan's account from Denmark is not to be

be found; but as Morton himself soon after
 succeeded to the regency, this may easily
 be accounted for. Morton's letter to the
 Regent is in these words: " We refavit a let-
 " ter written furth of Denmark be Mr Tho-
 " mas Buchanan to your Grace, of date the
 " 20th of January; and becaufe we judgit
 " that some things might be specified thairin
 " quhilk were expedient to be remembred
 " upon here, *we tuke the boldness to open and*
 " *read the letter*, quhilk it may pleis your
 " your Grace presently to refaive. The
 " cause why it has been so long in sending,
 " was that we thought not best to commit
 " it to the throuch post, or a common
 " messenger: For that we had na will the
 " contents of the same fuld be known,
 " fearing that some *words and matters*
 " mentioned in the same, being disperfit
 " heir as novellis, fuld rather *have hinder-*
 " *ed than furthered our cause*; and thair-
 " for, being desirrit at court to shew the
 " letter, we gave to understand, that we
 " had sent the principal away, and deliverit
 " a copy, *omittand sic things as we thought*
 " *not meet to be shawn*, as your Grace may
 " perceive by the like copy, quhilk also
 " we have sent you herewith, quhilk ye
 " may

“ may communicate to sic as your Grace
 “ thinks not expedient to communicate
 “ the haill contents of the principal letter
 “ unto*.”

This letter is signed by Morton, and likewise by the Abbot of Dunfermline and Macgill, two persons whom we have already seen employed as useful instruments to Murray and Morton; and is dated the 24th of March 1570, that is, above two months after the date of Thomas Buchanan's letter to Lennox. From which it is plain, that Morton and his associates must have kept this letter in their hands above a month, before they were pleased to send it down to Scotland to Lennox, to whom it was addressed.

For what purposes Morton intercepted, and detained so long this letter from Denmark in his hands, and why he was pleased to deliver a false and castrated copy, even to his good friend Queen Elifabeth, and her minister Cecil, omitting some matters contained in this letter, *that were not*
 “ meet (as he acknowledges) to be shown,

* Cot. lib. Lennox's register of letters, fol. 202. Good, vol. 2. p. 382.

seem to be pretty obvious: And I leave it to others to determine, how far this whole *manœuvre* of Morton, with respect to the intercepting this packet to the Regent, breaking it open, detaining it for several weeks in his hands before he sent it to Lennox, concealing the contents, and taking upon him to deliver to the English court a false copy, or indeed to deliver any copy at all, does not carry the strongest suspicion, that the original letter sent from Denmark contained matters of great importance relating to the murder, and particularly against Morton himself, and the whole party; and if for that reason he might not have abstracted part of the contents, and even falsified the original, which he was pleased to send to Lennox, for the same very reasons which induced him to falsify the copy, which he owns himself he gave in to the English court.

The breaking open a letter from an ambassador at a foreign court, to his master the Regent of Scotland, without authority, must convince every mortal, that Morton must have been under the greatest anxiety and suspicion, that the contents were of the utmost importance, and contained some

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dangerous

dangerous discoveries relating to himself, which could induce him to venture upon so gross a practice; and his keeping up the letter for so long a time in his hands, under the poor pretence of not trusting it with a common messenger, is as convincing, that during that time he was *practising* upon it, and that it was not without design that he kept this letter all this while in his hands.

Lennox continuing to solicit the King of Denmark to send over Bothwell to be tried, Queen Elisabeth likewise was pleased to urge the same request. That King, by a letter sent to the Earl of Lennox, agreed to send over Bothwell, upon these conditions: That Queen Elisabeth should become bound, and likewise the estates of Scotland, by solemn writings, to be sent to Denmark against the 24th day of August 1571, that the Earl of Bothwell should have a fair trial. This letter Lennox sent to Queen Elisabeth for her advice, by a letter of the 25th of May that year: but the security for Bothwell, demanded by the Danish King, being sent, that affair was of consequence dropp'd altogether *.

* Lennox's register, fol. 213. 235.

The great scheme of the confederates, Murray, Morton, and Lethington, having been, as we have seen, to overturn the government of the kingdom, by the destruction or imprisonment of the Queen, and to attain possession thereof to themselves ; we have hitherto traced the triumvirate co-operating together in that scheme, which was accomplished by the Queen's imprisonment, and the Earl of Murray being settled in the regency.

But as the views of the confederates came afterwards to be separated, and more detached from each other, we must now trace their conduct separately. We therefore return to the Earl of Murray.

In the time of the conferences in England, the Duke of Norfolk, a nobleman possessed of every amiable quality, the first peer in England in rank and power, and, as Sir James Melvill justly says, at that time the greatest subject in Europe, was one of Elisabeth's privy council, and one of the commissioners appointed to treat with the Scotch commissioners on Queen Mary's affairs. This patriot nobleman had very early seen to the bottom of his mistress Elisabeth's views, and had observed the artful

contrivances used by her to induce Mary's rebellious subjects, Murray and his party, to defame and accuse their sovereign: He not only knew Elisabeth's resentment against a hated rival! but likewise, that she intended to quash entirely, and put an end, if possible, to a question that had often before this been agitated in England, to her great disquiet, viz. the affair of settling the succession of the crown of England. The Duke of Norfolk had, under the greatest confidence, and most solemn promises from Murray, of friendship and secrecy, communicated to him his whole thoughts upon that subject. He had told him, that Elisabeth's plan was no other than to spirit them on to accuse their Queen, with a view to disappoint the scheme of settling the succession to the crown of England; he therefore dissuaded Murray from suffering himself to be made the tool and instrument of Elisabeth's designs in defaming his own sovereign, for which all men would detest him*.

Murray appeared to be convinced, and promised to be directed by the Duke; and a mutual engagement of friendship was en-

* Melvill, p. 181. and 186.

tered into between them. Notwithstanding this solemn engagement, at the very first meeting of the English council, Murray, by a most perfidious and hypocritical behaviour, with tears in his eyes, as Sir James Melvill says *, gave in his infamous accusation against his sovereign ; and to crown all, the whole engagement between him and the Duke of Norfolk was immediately disclosed to Queen Elizabeth. The Duke, though vexed to be in the least suspected by Queen Elizabeth as a partisan in any scheme that had the appearance of opposing her sentiments, yet seeing the whole that had passed between him and Murray laid open, and conscious of the rectitude of his own intentions, openly declared, "That during her lifetime he would never offend her, but serve and honour her ; and after her the Queen of Scotland, as the only means for eschewing of civil wars and bloodshed, that might otherwise fall out †."

After the conferences in England were broke up, Murray, who by his treachery to the Duke of Norfolk had not only lost the esteem and friendship of that no-

* Melvill, p. 185.

† Ibid. p. 187.

bleman,

bleman, but exposed himself to the English court, justly found himself despised and detested by every body *, and in very uneasy circumstances at London. He wanted to come down to Scotland, at the same time he was quite indigent, in want of money, and no friends to procure him assistance. Besides, as the Duke of Norfolk had the command of the whole northern parts of the kingdom, Murray knew well that he could not pass the border in safety, without the Duke's friendship; and how to compass this, and to regain the confidence of a person whom he had so lately betrayed, required the greatest address, and the utmost stretch of his dissimulation and hypocrisy. About this time Secretary Lethington, from a consciousness of the wrongs he had done the Queen, and willing in some degree to make atonement, now privately inclined to her interest; by his means Sir Nicholas Throckmorton, a confidant of the Duke's, gave his assistance on this fatal occasion. The Duke had, by this time, made proposals of marriage to Queen Mary: in order therefore to accomplish this matter Throckmorton convinced him, that

* Melvill, p. 186.

it would conduce to the good of his affair to have the friendship of Murray. The Duke suffered himself to be persuaded. So Murray and Secretary Lethington were secretly brought to an interview with the Duke, where we may presume, that neither prayers, tears, nor the most solemn promises and protestations of friendship and secrecy were wanting on the part of Murray. The Duke, noble, generous, and open, forgave all that was past, and disclosed his breast to Murray and Lethington, as to his purpose of marriage with Queen Mary; and "the Regent promised, as far (says "Melvill) as could be devised; so that a "greater friendship was packed up between "them than ever *." This was all hypocrisy and deceit on the part of Murray, whose intention it never was to forward any such marriage; so that this worthy nobleman, who deserved a better fate, was a second time made the dupe of Murray's profound dissimulation and fair promises, and was soon after most perfidiously betrayed by him. For all this we have the undoubted authority of cotemporary wri-

* Melvill, p. 188.

ters ; particularly Sir James Melvill, and the author of Crawford's manuscript; the first of whom is so much the professed apologist of Murray, that no objection can lie against his authority in this matter. Sir James's words are, " After the Regent had " got this money, and taken leave of Queen " Elifabeth, he was advised, by such as had " credit with him, to tell the Queen all that " had passed betwixt the Duke and him. " And to do it more covertly, it was devised that the Queen of England should " send for him, pretending to give him " some admonition about some order to " be observed upon the border. This being done, and all things discovered to " the Queen, with a promise, so soon as he " came to Scotland, and had received any " letters from the Duke, by cyphers or otherwise, he should send them to England " by express.—After the Regent's safe " return to Scotland, Mr John Wood, his " secretary, procured upon the first occasion to be sent to England, with all the " letters which had been sent from the " Duke of Norfolk, which could tend to " undo him.—The Duke was sent to the
 " Tower,

"Tower, and some time after was beheaded *."

From this story, which contains so black a piece of treachery and ingratitude, carried on under the vilest dissimulation, we may judge, with certainty, of the real character of the *gude* or *godly Regent*. And from this affair alone, had we nothing else against him, we may, without breach of charity, conclude him to be capable of engaging in the worst of crimes, to serve his own views, and to maintain himself in that regency, which by the same practices he had obtained. To proceed:

After this notable action, Murray suspected Lethington as one that was in Queen Mary's interest: "He apprehended, (says Crawford †), that Lethington had conspired with the Duke of Norfolk to effect the restoration of the banished Queen." Murray therefore wanted to take him off, as he had done the Duke of Norfolk. In bringing this about, however, it required all Murray's cunning and address. Lethington had been too long

* Melvill, p. 189. Glasgow edition; Crawford, p. 119. and 129.; and Robertson, vol. 1. p. 437.

† Crawford, p. 133.

his confederate to venture openly to provoke him to take a desperate measure, and to unfold their joint schemes of iniquity. It was necessary, therefore, that the accusation against Lethington should come from another quarter. The Earl of Lennox was under no such restraint: his dependent, the famous Thomas Crawford, whom he had before brought as evidence against the Queen, appeared before Murray and his council, and accused Lethington as accessory to the late King's murder. Lethington was thereupon imprisoned. Sir William Kirkcaldy of Grange, one of Lethington's friends, was then governor of the castle of Edinburgh. They both suspected Murray to be at the bottom of this scheme, and told him so. Sir James Melvill says, that Murray's apology privately to them was, "That it consisted not in his power
 " to save Lethington from prison, seeing he
 " *was accused, against his will*, for the King's
 " murder: but that Grange should know
 " *his honest part, i. e. intention*, thereof at
 " meeting." Lethington, and his friend Grange, were not, however, by smooth speeches, convinced of the sincerity of Murray's intention: A message was sent by
 Grange

Grange to the Regent, desiring the like justice to be done upon the Earl of Morton and Mr Archibald Douglas. Grange himself offered to fight with Douglas, and the Lord Herries with the Earl of Morton, on that head, "That they were in the council, "and consequently art and part of the "King's murder *." To this challenge no answer was made: "only (continues Melvill) the Regent *still continued to alledge,* "that the Lords had taken Lethington against "his will." Grange, on this, suspecting the worst, thought it not fit to trust to Murray's fair words; he therefore sent a party from the castle, rescued Lethington, and took him into his own hands, and so this affair ended.

This obvious remark must now occur, That this transaction with respect to Lethington's and Morton's impeachment, at a time when the Queen and her friends had no hand in it, must carry conviction with it beyond a cloud of witnesses, that by the common voice of the public these confederates were deemed the murderers of the Lord Darnley.

* Melvill, p. 191.

C H A P. VI.

*Morton's conduct with respect to Lethington.
 — Lethington attainted and forfeited as
 one of the accomplices in Lord Darnley's
 murder. — Mutual accusation of Morton
 and Lethington. — Morton's trial, convic-
 tion, and confession.*

THE Earl of Murray being shot at Lin-
 lithgow in January 1570*, his friend
 the Earl of Morton, now at the head of the

* The fact is thus related by Crawford. James Hamilton of Bothwellhaugh was one of those bold and loyal men of that clan who fought for the Queen at Langside. He was there taken prisoner, and condemned by the Regent to be hanged; but made his escape, and was forfeited. His wife, who was heiress of Woodhouselee, willingly abandoned her husband's estate of Bothwellhaugh, and possessed herself of her own patrimonial estate. Murray on this sent a party, who turned the unfortunate lady out of her house naked, and at midnight, exposed to the inclemency of the cold, and the darkness of the night, in the open fields; by which inhuman treatment she lost her senses, and became mad. Her husband from that moment resolved on the death of Murray, which he put in execution soon after in the town of Linlithgow, by lying in wait for him in a house fronting the street, where he knew the Regent was to pass: from thence he shot him dead, mounted his horse from a back passage, and fled to Hamilton, and from thence made his escape to France. It is reported of him, that while there rewards were offered him to dispatch Admiral Coligny: Not, answered he, until Coligny has injured me as highly as Murray did; *Crawford,*
 A. 140. &c.

party;

party, took upon him immediately thereafter to call a meeting of the nobility, especially such, says Crawford, as were the Queen's enemies. The friends of the Queen upon this desired the meeting to be adjourned to a longer day, that the whole Nobility might have intimation, and time to attend this convention. Notwithstanding, Morton and his friends met on the day appointed; when the first thing Morton got done, was an act of the convention, absolving Secretary Lethington from the late accusation brought against him, as accessory to the late King's murder; "and recognoscing him, "as an honest man, in his own place a-
"gain; and as a good and profitable instrument in this common weill *." After this the Earl of Lennox was declared Regent of the kingdom.

Notwithstanding this absolution of Lethington, the very same year the Regent Lennox dismissed the secretary from his offices, proclaimed him a traitor on account of the late King's murder, and an act of forfeiture was passed against him.

As Morton was the Regent's chief minister at the time, Lethington, with reason,

* Crawford, p. 149.

blamed

blamed Morton as the cause of his forfeiture. The letters that passed between them on that head, which are still preserved to us, are curious, and give great light into this matter. Lethington wrote to his friend the Laird of Carmichael the following letter, which, it appears, was shewn by him to Morton: "He (Morton) was the chief procurer and solicitor of my pretended forfeiture, *for a crime, whereof, he knows in his conscience, I was as innocent as himself.*" Morton's answer to Carmichael is as follows: "When it shall be considered who had the government, and for what cause the forfeiture past, I think they will not esteem me the chief procurer or solicitor thereof: for the Earl of Lennox being the Regent, having the administration of justice in his hands, and the cause being the murder of the King his son, it might be well thought that there needed little procurement or solicitation.—That I know him innocent in my conscience as myself! the contrary thereof is true; for I was and am innocent thereof, but could not affirm the same of him, considering what I understood of that matter

" of

"of his own confession to myself*." This was very plain language between these confederates, now ready to fall out; but they knew they were still in the hands of friends. If Morton had himself been entirely innocent, and knew Lethington to have been guilty of the King's murder, what could induce him, in the act of his convention 1570, to procure this murderer of the King to be then absolved of the crime, *and recognised as an honest man?* Only this, surely, that Lethington at that time was his friend and confederate; afterwards it seems he fell out with him, and had the influence with the Regent *secretly* to procure Lethington's forfeiture; but for fear of provoking him to a full discovery of their joint crimes, he durst not openly act against him.

When we see Morton acting in this underhand manner with regard to Bothwell and Lethington, during the government of the Earl of Lennox then Regent, we may easily conclude, that when he himself came to succeed as regent of the kingdom, all care would be taken by him to smo-

* Bannantine's continuation of Knox's history, MS p. 202. Advocates library.

ther all proof or evidence of his guilt, during the many years of his regency, in which he acted without controul: "At last," says Crawford, "he became a burden to his country, shunned by the good, despised by the brave, and detested by all *." By his insatiable avarice, and the most oppressive measures, he had amassed a prodigious treasure †, while he kept the young King, in a manner, a prisoner in his hands. As the King, however, grew up, and became capable to distinguish his friends, Morton, with regret, beheld them by degrees surround the King, while his own party dropped off from him; he chose therefore to make merit of necessity, by resigning the regency: and he had no sooner taken that step, than an accusation was brought against him to the King and council, as accomplice in the murder of the Lord Darnley, the King's father.

Morton was, upon the 1st day of June 1581, brought to a trial before his peers.

* Crawford, p. 361. and 374.

† Morton pretended a mighty zeal for the Reformed religion, and took care to keep well with the ministers of it. His godliness was great gain. Though a layman, he had the rapacity and artifice to secure to himself the whole revenues of the see of St Andrew's.

The Earl of Montrose sat as Chancellor: and upon a full proof of the crime for which he stood indicted, they unanimously pronounced the following verdict: "The jury being ripely advised with his inditement, the tokens infallible and most evident, *with the probations produced*, and used for verifying thereof, did, all with one voice, find the said Earl of Morton guilty, *art and part* *, in the foreknowledge, and concealing the King's murder †."

What were the particular proofs and evidences which appeared against him, we know not, the records being lost. David Moyse, a contemporary author, then one of the officers of the King's household, in his Memoirs, thus informs us, That the jury of peers found Morton guilty, "in respect of sundry evidences of his indictment, presented to the jury, some whereof were subscribed with his own hand; and that likewise it was verified by the depositions of some persons that were actors in that horrible fact ‡."

* The meaning of these words is well known in the criminal law of Scotland, and in use at this day, and denotes a confederate and proved associate in any crime. *Vide* p. 283.

† Crawford, p. 372. And Goodall, vol. 1. p. 330.

‡ Moyse's Memoirs, p. 54.

Morton's chief instrument and confident was one Archibald Douglas, whom, from being parson of Glasgow, Morton, after the murder of the King, had raised to the dignity of a Lord of Session, and constantly employed as a tool in all his affairs. This man was universally known to have been one of the chief actors in the King's murder. Upon the Earl of Morton's being accused, this Douglas, his confident, immediately fled out of the kingdom, and made his escape. One of his servants, John Binning, was apprehended, and brought to trial, for assisting with his master in the murder. Binning, at his trial, confessed his being an accomplice, and that he was present with his master, Douglas, at the murder of the King.

The Earl of Morton was condemned, and beheaded on the 2d of June 1581; and Binning was hanged the day after.

Dr Robertson is pleased to say, that Morton's trial was violent, irregular, and oppressive. We shall examine his reasons. *1st*, says he, The Earl Arran, Morton's accuser, in order to extort evidence against him, tortured several of his servants. *2dly*, During the trial, great bodies of armed men

men were drawn up in different parts of the city. "And *lastly*," says our author, "His jury was composed of the Earl's known enemies; and though he challenged several of them, his objections were overruled*."

To which it is answered, *Ist*, As to Morton's servants being put to the torture, Crawford, from whose authority, it would seem, the Doctor hath this, says no such thing. From him it appears, that none of Morton's servants were, on his trial, or previous to it, either tortured, or examined as evidences against him. Crawford expressly says, that *after* Morton's trial, conviction, and confession, as he was known to have amassed, by his avarice and oppression, a prodigious treasure, which he kept concealed, "many arguments were used " to persuade him to tell where he had " hid his money, which had been carried off " in barrels.—His servants were at the " same time severely dealt with *for that* " *effect*; and though some of them were put " to the torture, yet no information could " be got concerning this vast treasure†."

* Robertson, vol. 2. oct. edit. p. 81.

† Crawford, p. 373.

2dly, As to the armed men in the city during Morton's trial, it is strange that this should be thought irregular by the historian, considering the account which he himself gives of the attempt which Queen Elizabeth was then making to save Morton. I shall use Dr Robertson's own words: " Elizabeth did not fail to interpose with " warmth, in behalf of a man who had " contributed so much to preserve her influence over Scotland:—She ordered a " considerable body of troops to be assembled on the borders of Scotland, and dispatched Randolph her ambassador into " that kingdom." He addressed himself not only to James and to his council, but to the parliament: He enumerated the benefits which Elizabeth had conferred on the Scottish nation; he called on them to remove so pernicious a counsellor from the young King as Lennox, and to rescue Morton out of the hands of his avowed enemy;—and *if force were necessary*, he promised them the protection of his mistress in the enterprise, and whatever assistance they should demand, *either of men or money**.

That very influence, that slavish dependence under which Morton had shameful-

* Robertson, vol. 2. p. 78.

ly brought the Scottish nation to Queen Elizabeth, and which all the historians of the times, and even Dr Robertson himself often expatiates upon, was the worst species of treason in Morton; and the insolent attempt to rescue so enormous a traitor from the public vengeance, was surely an alarm to the King and parliament to arm in defence of so audacious an enterprise.

That Morton's jury was composed of his known enemies, is not fact. Of these several were his known friends. The Earls of Argyle and Montrose* were actually engaged in an association and conspiracy to have rescued him, which was discovered, and prevented, by the King's friends; Montrose was nevertheless chosen chancellor of his jury. We are told indeed by Crawford, that Morton excepted against Argyle, Seton, and Waughton, without giving any particular reason; upon which they purged themselves by oath, that they had no malice against him, and were admitted. How far our author's grounds for pronouncing Morton's trial irregular

* Crawford, p. 369.

and

and oppressive are solid, we submit. The historian was conscious, no doubt, that Morton's conviction, as confederate in Darnley's murder, was a necessary vindication of the Queen's innocence.

We have a narrative given us in Crawford's Memoirs, of what Morton is said to have confessed as to his knowledge of the King's murder, while he lay under condemnation. This narrative was given out after his death by some of the clergy who had attended him. It is no wise authenticated as the genuine confession of Morton himself, but delivered to us verbally, and at second hand, by his friends *. It is certain that Morton, at all times, found his account in keeping well with the clergy; who, in every turn of affairs, were his and Murray's great support: what discoveries therefore he might have made at his death,

* Before Morton went to execution, the Earl of Arran desired him to put his confession in writing, and subscribe it before certain of the clergy that were then present with him. "He answered, "Nay, my Lord: I pray you trouble me no more with these things; for now I have another thing to muse upon; that is, to prepare me for my God: seeing I am now at a point to go to my death, I cannot write in the state wherein now I am; all these honest men can testify what I have spoken in that matter;" *Crawford, Edinburgh edit. Appendix, p. 21.*

or how far the narrative of his confession, as given us by these his friends, is just, or contains the whole of what he did confess, may be doubted.

This confession, as given us by Crawford, is as follows :

“ That upon his return from England,
 “ whither he had been banished for the
 “ murder of Rizio, Bothwell came to him
 “ at Whittingham, and proposed the murder
 “ of the King to him, alledging it was
 “ the Queen’s desire to have him dispatched,
 “ as the principal author of Rizio’s death,
 “ and desired his assistance in the affair ; to
 “ which he replied, That if he (Bothwell)
 “ would bring it under the Queen’s own
 “ hand, he might then probably engage in
 “ the business : but that though Bothwell
 “ often laboured to draw him in, and promised
 “ to bring the Queen’s own handwriting,
 “ yet he had never been able to procure
 “ any such thing ; and if he had, he
 “ (Morton) was resolved not to have meddled
 “ in it. As to Mr Archibald Douglas,
 “ his cousin, he said, *he knew he was engaged
 “ in the murder before it was committed*;
 “ and that after it was done, he told
 “ him that he had accompanied Bothwell
 “ and

“and Huntly to the place, and assisted them in the execution of the fact *.”

By this confession, moulded as we have it from the hands of his friends, Morton acknowledges, that he was made privy to the conspiracy of the King's murder before it was committed, both by Bothwell, and his own friend and confident Douglas, and that he concealed it notwithstanding. The pretence, that he durst not tell the King, for fear that he should have discovered him to the conspirators, is frivolous and affected, and can never excuse his crime in looking on while his friends committed the murder.

It may be asked, Could he not have revealed this conspiracy to the Earl of Lennox, the King's father, and to his good friend the Earl of Murray, and others of the nobility, who were at all times more than a match for Bothwell and his party, even though the Queen had been in the conspiracy? But the story of the Queen's being in the plot, he had no reason to believe from Bothwell's tale; and he must have been confirmed of the falsity of his story, from his not being able to show him any thing as his authority for saying so.

* Crawford, p. 372.

On the contrary, what was the part which Morton acted? Although he confesses his knowledge of Bothwell and his cousin Douglas their being the murderers, he was one of the most active managers for the Earl of Bothwell, in getting him acquitted at his trial for this very murder, and soon after joined with several of the nobility in subscribing the famous bond of association, asserting his innocence, and recommending him as a fit husband for the Queen *. In the same manner he acted with Lethington: We have it fairly acknowledged by Morton's own hand-writing, that he knew Lethington to have been one of the King's murderers; notwithstanding, by an act of the convention, he procures a reversal of Lethington's forfeiture on that account, and obtains him "to be recognised as an honest man."

And, lastly, As for Douglas his cousin, who, he also confesses, owned to him his being an actor in the murder, he after that promoted him to be one of the Lords of Session, and employed him as his confident and tool, to the very day of his impeachment, when Douglas made his escape.

* *File p. 232. of this Inquiry.*

But we have still a more direct proof of his actual guilt, to wit, the verdict of his Peers, unanimously finding him guilty, upon a positive proof brought before them, *by writings subscribed by his own hand, and likewise by the testimonies of persons who were actors in that horrible scene.*

C H A P.

C H A P. VII.

Summary of the presumptive proof against Murray.—Positive proof against Morton and Lethington.—Characters of the three confederates.

THUS have we, step by step, traced the three confederates, Murray, Morton, and Lethington, through the several mazes of their intrigues, from the Queen's return from France, to the fatal period of the murder of the Lord Darnley her husband; and from thence to the execution and death of the Earl of Morton, as accessory to that murder. From authentic evidence still on record, we have made appear the close and inseparable junction and alliance of the above confederacy, in a continued series of conspiracies, carried on by them in their turn, for the destruction of the Queen and her husband, and for overturning the government.

1. We have shown, by undoubted testimonies, that on Queen Mary's return from France into Scotland, a plot was form-

ed by Murray and Lethington, for having her intercepted in her voyage, and made prisoner by the English, in order to set Murray at the head of the government; and that a fleet was actually sent out by Queen Elisabeth for that purpose.

2. That on Mary's resolution to marry the Lord Darnley, an insurrection was made by the Earl of Murray, and an attempt to seize her and Darnley; which being frustrated, an open rebellion was raised by him, that terminated in his banishment. And it is clearly proved, that their design was at that time to have slain the Lord Darnley, and to have sent the Queen prisoner to Lochleven *.

3. It is proved, that while the Queen was far advanced in her pregnancy, the assassination of Rizio was conspired by Morton and his associates, and executed by stabbing him at her very foot. And it is also proved, by the acknowledgment of the conspirators, that Murray and Lethington were engaged with Morton in this assassination and conspiracy †.

* *Vide* p. 188. and 189. of this Inquiry.

† *Ibid.* p. 194. & *segg.*

4. It is proved, by the authentic declaration of a great part of the nobility of Scotland, and likewise by the declaration of the Earls of Huntly and Argyle, that the Earl of Murray and Lethington, in presence of Huntly and Argyle, proposed to the Queen *to make her quit of Darnley*; which she rejected *. And within a few weeks thereafter Lord Darnley was actually murdered.

Such is the complicated evidence that appears against the joint confederates, Murray, Morton, and Lethington, preceding Lord Darnley's murder; in which the Earl of Murray is plainly pointed out to have been at the head, and in the direction of the whole conspiracy, until the very eve of the King's murder, that he withdrew himself, and soon after left the kingdom, and the management of the succeeding part of the scheme to his friends Morton and Lethington; who, by their rebellion, and imprisonment of the Queen, secured for him the regency of the kingdom.

It will perhaps be said, that the above concurring facts and circumstances, however convincing, yet amount to no direct proof of Murray's being an actor in the

* *Vide* p. 203. and 213. of this Inquiry.

murder of Lord Darnley. But when the whole of his conduct, which we have traced and detected, is considered, there appears the strongest presumptive evidence of his being accessory to, and in the knowledge of the whole affair. The close, subtle, and deep part which he was to play in the catastrophe, was, to place himself concealed behind the curtain, while the bloody work was a-doing, *to look through his fingers thair-to, and to behold the doings, saying nothing to the same* *. How faithfully he kept to this plan, we have already shewn. Whoever then shall consider the whole of Murray's conduct; his rebellions, plots, and conspiracies; and that by a constant and inviolable prosecution of this plan, he at length obtained the full completion of his scheme, by dethroning his sovereign, possessing himself of the reins of government, and by that means having it in his power to smother and put out of the way what might tend to discover his own guilt; with the remarkable caution observed by him, in taking care to withdraw himself from the scene, at the precise time always when the decisive events were ready to fall out, must, for these rea-

* *Vide* p. 206. of this inquiry.

sons, plainly see, that the foregoing presumptive proof against Murray, from circumstances, is what, from the nature of things, can only at this day be expected. To this we may add a direct proof of his using false evidence against the Queen, in the case of Nicholas Hubert or French Paris's confession, the pretended consent of the Queen shown at York, and the love-letters and sonnets of the Queen to Bothwell, all which we have demonstrated to be false, and that the same came directly from the hand of Murray *.

The evidence is much stronger, however, with regard to his two associates, Morton and Lethington. The same proof as against Murray, not only appears against them, but we have likewise a positive proof joined to it, against each of these associates, viz. the retorted accusation of each of them against the other, joined to the act of forfeiture against Lethington; and the verdict and sentence passed by the Peers of the king-

* We may now judge with what justice Mr Home has given sentence in the case of Murray: "That there is not the least presumption to lead us to suspect him as an accomplice in the murder." We need not wonder, therefore, that this same judge, who has acquitted Murray of every presumption of guilt, should give as positive a sentence against the Queen.

dom against Morton, as an accomplice in the King's murder; together with his own confession, *that he was in the knowledge of the murder.* So full and direct is the proof of their guilt.

The characters of the three confederates may here be thrown into the scale. To begin with the Earl of Murray; and that I may not be thought to exaggerate, I shall chiefly follow Dr Robertson. Personal intrepidity, military skill, and great sagacity in the administration of civil affairs, it must be allowed, he possessed.—“ His
 “ moral qualities (says the Doctor) are
 “ more dubious.—His ambition was
 “ immoderate, and events happened which
 “ opened to him vast prospects, and led
 “ him to actions inconsistent with the duty of a subject.—His treatment of
 “ the Queen, to whose bounty he was so
 “ much indebted, was unbrotherly and ungrateful. The dependence on Elisabeth
 “ under which he brought Scotland, was
 “ disgraceful to the nation. He deceived
 “ and betrayed Norfolk with a baseness unworthy a man of honour*.”—His fanc-

* Robertson, vol. I. p. 513. octavo edit.

"tity and a shew of religion," says Crawford, "he used as a cloak to his crimes *."

Morton and Lethington are described by the historians of those times as consummate politicians, of great parts, restless, daring, and of unbounded ambition. Morton, after the example of his confederate Murray, shamefully sold the independency of his country to Queen Elisabeth. His whole life was stained with the most flagitious actions. "By innumerable crimes," says Crawford, "he attained to the height of power. Murder became habitual to him !"

It is but justice here to take notice, that Lethington, of the three confederates, was the only one who appears to have felt the smallest compunction or remorse for the wrongs done to his sovereign and benefactress. He appears to have been sincerely engaged in promoting the marriage with Queen Mary and the Duke of Norfolk, for which Murray privately sought to undo him ; at last, openly joining her party against Morton, then Regent, on the surrender of the castle of Edinburgh, to avoid falling into his hands, he slew himself.

* Crawford, p. 374.

The unhappy end of each of the confederates was suitable to their crimes. Murray was assassinated, after a short enjoyment of his greatness ; Morton fell by the hands of the executioner ; and Lethington by his own hands !

Now, to the above characters of the three associates, let us oppose that of Queen Mary ; for which in general I might refer to her history by Dr Robertson and Mr Hume. I speak not here of that exquisite beauty of countenance, elegance of person, and gracefulness of manners, which, joined to her other external accomplishments, by the testimony of all the cotemporary writers, rendered her the admiration of the age ! It is allowed she possessed an exalted mind, and a heart warm, honest, and unsuspicious. A sweetness of disposition shone through all her actions, accompanied with an easy affability without indecorum, or the least imputation of levity. It will not be denied that she maintained the most unblemished character of virtue and reputation from her infancy, until the fatal period of her marriage with the Earl of Bothwell. " In order," says Mr Hume, " to form a just
" idea of her character, we must set aside
" one

“ one part of her conduct, while she abandoned herself to the guidance of a profligate man *.” What is not so easy to be accounted for, the above historians, after plunging her precipitately into the greatest of crimes, agree that she as suddenly recovered herself, and from that period resumed her former virtue and dignity. “ This princess,” says Mr Hume, “ recovering by means of her misfortunes, and her own natural good sense, from that *delirium* in which she seems to have been thrown during her attachment to Bothwell, behaved with such modesty, judgment, and even dignity, that every one who approached her was charmed with her demeanor, and her friends were enabled on some plausible grounds to deny the reality of those crimes which had been imputed to her †.” Such an instance I believe is scarce to be met with in history, and of which common experience furnishes us with no example :

*Nec vera virtus, cum semel excidit,
Curat reponi deterioribus.* HORAT.

* Hume, vol. 4. p. 622.

† Ibid. p. 515.

Allowing Queen Mary to have been innocent, her character, from her birth to her death, is uniform and consistent: suppose her the reverse, she is a phenomenon scarce to be accounted for!

I hasten to a conclusion, and, upon the whole, submit to the reader, whether the conclusions in the two propositions mentioned in the 1st chapter of the 2d part, p. 166. do not naturally follow, *viz.*

That as it is proved, that the confederates for taking away the King's life, were Morton and Lethington, the very persons who afterwards brought an accusation against Queen Mary for that very crime; therefore she herself could not have been in that confederacy, nor guilty of that crime; and that, for the above reasons, the three confederates, Murray, Morton, and Lethington, must be held, one and all of them, as *socii criminis*, guilty of the crime of which they had unjustly accused Queen Mary.

C H A P. VIII.

*Queen Elisabeth's conduct as to Queen Mary.
 — Severe treatment of that princess in
 England. — Secret negotiation for putting
 her to death in Scotland. — For privately
 putting her to death in England. — Cha-
 racter of Elisabeth.*

HAVING in the preceding chapters brought together in a collective view the evidence on both sides, I shall conclude with a view of the severe treatment which Queen Mary suffered from the hands of Queen Elisabeth while under her confinement in England; in which a new scene, hitherto buried in obscurity, shall be exposed to light; from which it doth appear, that the death of that unfortunate Queen was contrived and determined many years before her trial on account of Babinton's conspiracy.

We have occasionally, in the course of this work, taken notice of the underhand part acted by Queen Elisabeth in disturbing Mary's government during the whole course

course of her reign, by fomenting the disaffection of her subjects, and aiding and supporting them in a continued chain of conspiracies and insurrections *, until the accomplishment of her scheme of driving the unfortunate princess to take refuge in England. Nothing can exceed the steady perseverance of Elisabeth in her plan of getting into her hands her unsuspecting rival, nor the dissimulation practised by her to blind Queen Mary, and to throw her off her guard. Elisabeth's early plot to have Mary sent a prisoner to England, has already been proved †, while at the same time she was making public declarations against her rebellious subjects, whom privately she supported. When Mary was confined by them in Lochleven castle, Elisabeth made a shew of soliciting for her liberty ‡, which by giving the least aid to Mary's friends and partisans, she could have compelled Murray and Morton to have granted. On Queen Mary's escape from their hands, she invited her to take refuge in England, where she assured her,

* *Vide* p. 187. & *seqq.* of this Inquiry.

† Randolph's letters; Inquiry, p. 188.; Melvill, p. 117. Glasgow edit.

‡ Camden, p. 489.; Robertson, vol. 1. p. 460.

that all honours due to a Queen should be paid to her. All this stands clearly proved by unquestionable evidence. We shall here produce one testimony more, under Secretary Cecil's own hand *, in a paper, intitled, *Pro Regina Scotorum*, which begins thus :

“ She (the Queen of Scots) is to be helped ; because she came *willingly* into the realm, *upon trust* of the Queen's Majesty.”

“ She trusted to the Queen's Majesty's help, because she had in her trouble received *many messages to that effect*.”

“ No private person coming into the realme for refuge ought to be condemned, if he requyre to be heard, without hearing.”

Mary's remonstrance to Elifabeth on this head, is most pathetic † : “ Pardon me, (says she in a letter to Elifabeth), while I speak
to

* Cot. lib. . Anderfon, vol. 3. p. 99.

† Excusez moy, il m'importe, il faut que je vous parle sans dissimulation. Otez, Madame, hors de votre esprit que je suis venue ici pour sauver de ma vie ; le monde ni toute Ecosse ne m'ont pas reniée. J'ai choisie entre tous autres princes, pour ma plus proche parente et parfaite amie vous faisant comme j'ay supposé l'honneur d'être nommée, la restituée d'une Royne qui pensoit tenir ce bienfait de vous. Vous recevez un mien frere bastarde à votre présence fugitif de moy, et vous me la refusez ; que je m'assure me
fera

to you from my heart, and without reserve. I was not so destitute of friends as to fly to you for the safety of my life. From choice I threw myself into your arms as my nearest relation, and assured friend; and I did you honour, as I imagined, in chusing you before any other prince, to restore me to my throne. You received into your presence my bastard-brother, stained with the crime of rebellion against me, while you deny me that favour; while you refuse even to hear me in my own vindication. God forbid I should be the cause of bringing any reflection upon your honour; I rather imagined I should have added to your glory, by giving you an opportunity of displaying your power and generosity of heart, in the relief of an injured princess. Aid me therefore, I conjure you, and let me owe every thing to you; or suffer me to depart to implore that assistance from

sera tant plus delayée que ma cause est juste. Pour ce que vous dites, que vous êtes conseillée par gens de grande qualité, de vous garder en cette affaire. Ja à Dieu ne plaise, que je soye cause de votre déshonneur, au lieu que j'avois intention de chercher le contraire. Pourquoi, je vous supplie, aydez moi, m'obligeant à vous de tout; ou soyez neutre, et me permettez de chercher mon mieux d'ailleurs; *Anderson, vol. 3. p. 94. et seqq.*

other

other hands, which you are pleased to refuse me."

How forcible is the language of the heart ! How was it possible for Elisabeth to resist the cries and complaint of a distressed Queen, her nearest blood-relation, who had thrown herself under her protection ? How could she steel her heart against the common feelings of humanity ? But Elisabeth was a stranger to such weakness. The bird whom with so much skill and address she had allured into her snare, was not to be set at liberty for a song. Mary was now left to the bitter reflection, That her own rash credulity had undone her ; and soon after to verify that fatal truth, That to a captive prince it is but a step from a prison to the grave.

That Elisabeth's policy reached beyond the confining the person of Mary, has not hitherto been proved. A letter under Cecil's hand, lately discovered among his papers in the Hatfield library, now unfolds the dark design that was early formed for taking away the life of the unfortunate Queen Mary.

In the years 1570 and 1571, Queen Mary's affairs in Scotland were in a prosperous

R r situation.

situation. The chief of the nobility and gentry had taken arms for her against the Regent: they had got possession of the strongest fortresses in the kingdom, and of the capital of Edinburgh, from whence they had expelled her enemies.

With regard to the Queen's situation in England, the treaty of marriage betwixt her and the Duke of Norfolk, a Protestant, the greatest and most popular nobleman in England, supported by the most powerful of the English nobility, who favoured Queen Mary's title to that crown, was a mortifying proof to Elisabeth of the strength of Mary's friends in that kingdom.

Two different expedients offered themselves to Elisabeth to follow, with respect to the Queen of Scots: To perform the promises made to her, and to replace her with splendor upon her throne; or, To detain her a prisoner in England for life.

Elisabeth was too much a politician, and a stranger to such generous sentiments as directed her to follow the first. The last, to keep captive in the midst of so many friends a sovereign princess, the presumptive heir to her throne, was both difficult and dangerous. She judged it safest to follow a
third

third expedient ; to get rid of her prisoner at once, by cutting her off. The only difficulty was, to screen herself from the odium of so black a deed.

The death of the Duke of Norfolk, who, by Murray's treachery, was brought to the scaffold in June 1572, secured Elisabeth from all apprehension at home of any danger from Mary. This was followed by a treaty of peace with France ; which put an end to her rival's negotiations in that kingdom, and all her hopes of relief from thence. At the same time, by the interposition of the French and English ministers in Scotland *, who now acted there in concert, a truce was settled between the contending parties ; which put a stop to the success of the Queen's friends, and allowed her enemies to draw breath, and to recover their strength.

The Earl of Mar was then Regent of Scotland. Historians give him the character of an honest man, worthy of the trust given to him, of the care and custody of the young King.

It appears that Murray, during his regency, had offered to free Elisabeth of her

* Du Croc and Drury.

rival*, if she were delivered into his hands; but this scheme was frustrated by his death. Elisabeth thought the present situation of her affairs favourable for putting the same scheme now in execution. For this purpose her minister Killigrew was sent down to Scotland to bring about this vile affair. His instructions, in the handwriting of Cecil, are as follows.

Secret instructions for H. Killigrew, September 10. 1572.

In Lord Burghley's hand.

“**W**HER you ar by other instructions directed, to treat both with the King's party, and others of the castell, for the better observation of the late accord for the abstinence; and next that, secretly to informe some of the principal of either party of the late horrible, universal murder in France, and thereupon to move them to have good regard to that state, that the lyke be not ther attempted.

2. Although these matters are of reasonable moment to move to cawse you to be

* Lesly's Negotiations, p. 83. and 84. Robertson, oct. edit. vol. 1. p. 510.

sent thither at this tyme; yet, uppon a singular trust, yow are chosen to deale in a third matter, *of a farr gretar moment*, where-
in *all secrecy* and circumspection is to be used, as yourself confidere that the matter requireth.

It is found dayly more and more, that the contynuance of the Quene of Scots here, is so dangerous, both for the person of the Quene's Majesty, and for her state and realme, as nothing presently is more necessary, than *that the realme might be delivered of her*; and though by justice this might be done in this realme, yet, for certain respects, it seemeth better that she be sent into Scotland, to be delivered to the Regent and his party, so as it may be by some good means wrought, that they themselves would secretly require it; and that good assurance may be given, that as they *have heretofore many tymes, specially in the tyme of the Quene's former Regents, offred*, so they wold, without fayle, *proceed with hir by wey of justice, so as nether that realme nor this shuld be endangered by hir hereafter*; for otherwise to have hir and to kepe her were of all other most dangerous. Now how this may be compassed, yow ar to confidre, at yowr
coming

coming thither, with whom of the King's party it were best for you to deale, making choise of some such as yow shall fynde best perswaded of the *perill to that state*, by her contynuanee *ether here or there*, and such as you shall fynde most addicted to the King ther; and with such you may as of yourself *secretly conferr*; and if otherwise it shall not be directly moved to yow, than you may give the said party some lykelihood to thynk, that if ther were any earnest means secretly made by the Regent and the Erle Morton, to some of the Lords of the counsell here, to have hir delyvered to them, it might be at this tyme better than at any tyme heretofore brought to pass, that they might have her, so as ther *might be good surety gyven, that she shuld receave that she hath deserved ther, by ordre of justice, whereby no furder perill shuld ensue, by her escaping or setting hir upp ageyn*. For otherwise you may well saye, that the counsell of England will never assent to delyver hir out of the realme; and for assurance none can suffice but hostages of good valew, that is, some children and near kinsfolk of the Regent, and the *Erle Morton*.

Herein

Herein you shall, as commodite shall serve yow, use all good spede, *with the most secreffy* that yow can, to understand ther mynds ; and yet so to deale to your uttermost, that this matter might be rather opened to you, than yourself to seem first to move it ; and as you fynde ther disposition, so to accelerate ther disposition, and to advertise *with all spede possible ; for so the tyme requyreth, that celerite be used to have this doone* before the French enter any deeperther in credit ; and that *with all secreffy*, lest it be interrupted by some further dangerous practise *."

What a detestable design does this lay open to us ! What an infamous treaty was here set on foot, for the blood of a helpless princess, then under the protection of Queen Elisabeth, who by all laws human and divine was bound to have protected her ! We may conclude from the character of the Regent Earl of Mar, that this infamous proposal was rejected by him with detestation, as it was never more heard of. But from this attempt it is easy to see, that the fate of the unfortunate Mary was sealed, and her death determined. The delay

* Murden's state-papers, p. 224.

to give the fatal stroke, was owing to no change of purpose in Queen Elisabeth, but to the looking out for some plausible pretext for executing her design *. She had got over all scruples as to putting her rival to death, provided it could be done with secrecy; but had not the courage to avow openly her purpose, out of fear of endangering her popularity. This cowardly plan she kept up to the last; and while panting in secret for the blood of the helpless Queen of Scots, she, with the grossest dissimulation, affected concern, sighs, and groans, on the accomplishment of her long-projected scheme.

The letters written by her to Sir Amias Paulet, Queen Mary's keeper in her prison at Fotheringay castle, disclose to us the true sentiments of her heart, and her steady purpose to have Mary privately assassinated. Paulet had behaved with great insolence and rudeness to Queen Mary, and treated her with the utmost disrespect. He approached her

* It is not to humanity, says Dr Robertson, that we must ascribe her forbearance so long: At the moment of her subscribing the writ that gave up a woman, a Queen, her own nearest relation, into the hands of an executioner, she was capable of making a jest; *vol. 2. p. 165.*

person without any ceremony, and usually came covered into her presence, of which she had complained to Queen Elisabeth *. He was therefore thought to be a fit person for executing the above purpose. The following letter from Elisabeth displays a strong picture of her artifice and flattery, in order to raise his expectations to the highest pitch.

† “ *Amias my most faithful and careful servant*, God reward thee treblefold for the
 “ most troublesome charge so well discharged.—If you knew, *my Amias*, how
 “ kindly beside most dutifully my grateful
 “ heart accepts and praiseth your spotless
 “ endeavours, and faithful actions, performed in so dangerous and crafty a
 “ charge, it would ease your travail and rejoice your heart ; in which I charge you
 “ to carry this most instant thought, that I
 “ cannot balance in any weight of my
 “ judgment the value that I prize you at,
 “ and suppose no treasure can countervail
 “ such a faith, and shall condemn me in
 “ that fault that yet I never committed.

* Robertson, vol. 2. p. 165.

† This curious letter, mentioned by none of our historians, I find in a collection of remarkable trials published London 1715, Appendix, N^o 3.

“ If I reward not such desert, yea let me
 “ lack when I most need it, if I acknow-
 “ ledge not such a merit, *non omnibus da-*
 “ *tum.*”

Having thus buoyed up his hopes and wishes, Wallingham, in his letters to Paulet and Drury, mentions the proposal in plain words to them. “ We find by a
 “ speech lately made by her Majesty, that
 “ she doth note in you both a lack of that
 “ care and zeal for her service, that she
 “ looketh for at your hands, in that you
 “ have not in all this time (of yourselves
 “ without other provocation) found out
 “ some way to shorten the life of the Scots
 “ Queen, considering the great peril she is
 “ hourly subject to so long as the said
 “ Queen shall live.” — In a postscript: “ I
 “ pray you let both this and the inclosed
 “ be committed to the fire; as your answer
 “ shall be, after it has been communicated
 “ to her Majesty for her satisfaction.” In
 a subsequent letter: “ I pray you let me
 “ know what you have done with my let-
 “ ters, because they are not fit to be kept,
 “ that I may satisfy her Majesty therein,
 “ who might otherwise take offence there-
 “ at *.”

* Dr Mackenzie's lives; Freebairn, p. 270. & *seqq.*

What a cruel snare is here laid for this faithful servant! He is tempted to commit a murder, and at the same time has orders from his Sovereign to destroy the warrant for doing it. He was too wise to do either the one or the other. Had he fallen into the snare, we may guess from the fate of Davidson what would have been his. Paulet in return thus writes to Walsingham:—“Your letters of yesterday coming
 “to my hand this day, I would not fail, according to your directions, to return my
 “answer with all possible speed; which I
 “shall deliver unto you with great grief
 “and bitterness of mind, in that I am so
 “unhappy, as living to see this unhappy
 “day, in which I am required by direction
 “of my most gracious sovereign to do an
 “act which God and the law forbiddeth.
 “My goods and life are at her Majesty’s
 “disposition, and I am ready to lose them
 “the next morrow if it shall please her.—
 “But God forbid I should make so foul a
 “shipwreck of my conscience, or leave so
 “great a blot to my poor posterity, and
 “shed blood without law or warrant*.”

* Dr Mackenzie’s lives, p. 273.

Thus was Elisabeth put to the necessity of signing with her own hand the sentence for bringing Queen Mary to the block.

"One scene more," says the latest historian of the times *, "of the boldest and "most solemn deceit remained to be exhibited. She undertook to make the world "believe, that Queen Mary had been put "to death without her knowledge, and against her will. Davidſon her ſecretary, "who ſuſpected nothing of her intention, "fell a victim to her artifice." His catastrophe is well known. For obeying her orders he was deprived of his whole fortune, and doomed to languish the remainder of his days in a priſon.

What can atone for ſuch crimes? Will the applauſe which popularity has thrown upon this great Queen, (for ſuch, according to the ordinary ſenſe of the word, it muſt be allowed, ſhe was), palliate ſuch bold and flagrant acts of injuſtice and inhumanity, carried on by the groſſeſt artifice and diſſimulation? Unerring juſtice will not allow ſuch impoſitions long to paſs. The hand of time has now pulled off the maſk from

* Robertſon, vol. 2. p. 198.

this imperious and arbitrary Queen * ; and while the just, the impartial, and the unprejudiced, must detest the base and ungenerous principles which guided Elifabeth, the humane will drop a tear to the memory of an unfortunate princess, the most amiable and accomplished of her sex, who by the unrelenting cruelty of a jealous rival, through a series of bitter persecutions, was at last brought to the grave !

* “ I see no sufficient grounds for the excessive prejudice that
 “ has somehow taken place in favour of the golden reign, as it is
 “ called, of Elifabeth. I can find neither the wisdom nor the
 “ virtue in it, that can intitle it to a preference before all other
 “ ages. It is allowed, that in her councils she was vigilant, care-
 “ ful in the choice of her servants, courteous and condescending
 “ to her subjects. She appeared to have an extreme tenderness
 “ for the interests, and an extreme zeal for the honour of the
 “ nation. This was the bright side of her character.—On the
 “ other hand, she was choleric and imperious, jealous, timid,
 “ and avaricious, oppressive as far as she durst ; in many cases
 “ capricious and tyrannical.—The mingled splendor of these
 “ qualities, good and bad, (for even her worst had the luck
 “ when seen but on one side, or in well-disposed lights, to look
 “ like good ones), so far dazzled the eyes of all, that they did
 “ not or would not see many outrageous acts of tyranny and op-
 “ pression. And thus it has come to pass, that with some abili-
 “ ty, more cunning, and little real virtue, the name of *Elifabeth*
 “ is by the concurrence of many accidental causes become the
 “ most revered of any in the roll of our ancient princes.—I
 “ will not deny her to have been a great, that is, a fortunate
 “ Queen ; in this perhaps the most fortunate, that she attained to
 “ so unrivalled a glory with so few pretensions to deserve it ;” *Dr*
Hurd on the golden age of Queen Elifabeth.

A P P E N -

3

A P P E N D I X.

N U M B E R I.

The first letter said to be written by MARY Queen of Scots, to JAMES Earl of Bothwell.

BEING departit from the place quhair I left my hart, it is esie to be judgeit what was my countenance, seeing that I was evin als mekle as ane body without ane hart; quhilk was the occasion that quhile dennertyme I held purpois to na body; nor zit durst ony present thamselvis unto me, judging yat it was not gude sa to do.

Four myle or I came to the town, ane gentleman of the Erle of Lennox came and maid his commendatiounis unto me; and excusit him that he came not to meit me, be resson he durst not inter-
pryse

POSTEAQUAM ab eo loco discessi ubi reliqueram cor meum, facilis est conjectura qui meus fuerit vultus, cum plane perinde essem atque corpus sine corde: ea fuit causa cur toto prandii tempore, neque contulerim sermonem cum quoquam, neque quisquam se offerre mihi sit ausus, ut qui judicarent id non esse ex usu.

Ad quatuor passuum millia antequam ad oppidum accessissem, homo honesto loco natus a Comite Leviniae ad me venit, atque ejus nomine salutavit: excusavit Comitem, quod non ipse obviam processisset,

ESTANT partie du lieu où j'avoie laissé mon cœur, il se peut aisément juger quelle estoit ma contenance, veu ce que peut un corps sans cœur; qui a esté cause que jusques à la disnée je n'ay pas tenu grand propos; aussi personne ne s'est voulu avancer, jugeant bien qu'il n'y faisoit bon.

Estant encor à quatre mille pas de la ville, vint à moy un gentilhomme envoyé par le Conte de Lenos, qui me salva en son nom; & l'exeuza de ce qu'il ne m'estoit venu au devant, disant, qu'il ne l'avoit osé entreprendre, à cause que j'avoie tenté

pryse the same, becaus of the rude wordis that I had spokin to Cuninghame : and he desyrit that he suld come to the inquisition of ye matter yat I suspectit him of. This last speiking was of his awinheid, without ony commisioun.

I answerit to him, that *thair was na receipt culd serve aganis feir* ; and that he wald not be affrayit, in cace he wer not culpabill ; and that I answerit bot rudely to the doutis yat wer in his letteris. Summa, I maid him hald his tounge. The rest wer lang to wryte. Schir James Hamiltoun met me ; quha schawit, that the other tyme quhen he hard of my cumming, he departit away, and fend Howstoun to schaw him, that he wald never have belevit that he wald have perfewit him, nor zit accompanyit him with the Hamiltounis. He answerit, that he was only cum
bot

sisset, id enim quo minus auderet in causa fuisse, quod verbis asperioribus Cunigamium compellâssent. Petivit etiam ut inquirerem de suspicionem meam adversus Comitem. Postrema hæc sermonis pars ab ipso, injussu Comitis, erat adjecta.

Ego respondi, *nullam adversus timorem esse medicinam* ; neque si extra culpam esset, tam meticulosum futurum ; neque me, nisi ad dubitationes, quæ in ejus literis erant, asperius respondiisse. In summa, imposui homini silentium. Longum esset cetera prescribere. D. Jacobus Hamiltonius mihi obviam venit ; is ostendit superiore tempore, cum de meo adventu audisset, eum discessisse, ac Hustonum ad se misisse, qui diceret, se nunquam fuisse crediturum, quod aut ipsum persequeretur, aut Hamiltoniis se conjungeret ; se verò respondiisse, sui itineris causam unam fuisse, ut
me

tenfé Cuningham avec paroles aigres. Il me demanda aussi que je m'enquissie de soupçon que j'avoie contre iceluy Conte. Ceste dernière partie de son dire avoit esté adjoustée par luy, sans que le Conte luy eust commandé.

Je respondy, *qu'il n'y avoit point de remede contre la crainte* ; & que s'il estoit hors de faute, il ne seroit pas tant timide ; & que je n'avoie point respondu asprement sinon aux doutes qui estoient en ses lettres. En somme, j'imposay silence au personnage. Il seroit long descrire tout le reste. Le Seigneur Jaques Hambleton vint au devant de moy, lequel me declara, qu'auparavant ayant entendu ma venue, il s'estoit retiré, & luy avoit envoyé Huston, pour luy dire, qu'il n'eust jamais creu, ou qu'il l'eust voulu pour lui re, ou qu'il se fut joint avec les Hambletons ; & qu'il respondit, qu'il n'y avoit
en

bot to see me, and yat he wald nouth accompany Stewart nor Hammiltoun, bot be my commandment. *He desyrit that he wald cum and speik with him: He refuset it.*

The laird of Lusse, Howstoun, and Caldwellis sone, with XL. hors or thairabout, came and met me. The laird of Lusse said, he was chargeit to ane day of law be the King's father, quhilk suld be this day, againis his awin hand writ, quhilk he hes: and zit notwithstanding, knowing of my cumming, it is delayit. He was inquiryit to cum to him, quhilk he refuset, and swears that he will indure nathing of him.

Never ane of that towne came to speik to me, quhilk causis me think that thay ar his; and neuertheles he speikis gude, at the leist his sone. I sé nā uther gentilman bot thay of my company.

The

me videret neque cum Stuartis, aut Hamiltoniis, injussu meo, se conjuncturum.

Lusius, Hustonus, Caldöellii filius, comitati quadraginta circiter equis, obviam venerunt. Lusius dixit, se à Regis patre in eum ipsum diem ut causam diceret accersitum, contra quam chirographo promississet; id chirographum penes se esse; tamen cum de meo adventu rescitum esset, diem prolatum. Se accersitum a Comite, ire nolle, ac jurat se nihil unquam ab eo velle.

Nemo oppidanorum me convenit, quæ res facit ut eos credam ab illo stare; præterea bene loquuntur, saltem de filio. Nullos præterea nobiles video præter meos comites.

Rex

en qu' une cause de son vöyage, à sçavoir, pour me voir, & qu'il ne se conjoindroit avec les Stuarts & Hambletons sans mon commandement.

Lusse, Huston, & le fils de Cauldwellis, accompagnez d'environ quatre vingts chevaux, vindrent au devant de moy. Lusse dict, que ce jour là mesme il estoit adjourné par le pere du Roy, contre ce qu'il avoit promis par son seing, & que ce seing estoit par devers luy: mais que quand on fut adverty de ma venüe, que le jour avoit esté prolongé. Et qu'il ne vouloit aller par devers le Comte, qui l'avoit appellé en jurant, qu'il ne luy demanderoit jamais rien.

Nul des citoyens n'est venu à moy, qui faict que je croy qu'ils sent d'avec cestuy là; & pais ils parlent en bien, au moins du fils. D'avantage je ne voy aucuns de la noblesse outre ceux de ma suite.

T

Le

The King fend for Joachim
zisternicht, and askit at him,
quhy I ludgeit not besyde
him? and that he wald ryse
the soner gif that wer: and
quhairfoir I come? gif it was
for gude appointment? and
gif ze wer thair in particular?
and gif I had maid my estait?
gif I had tak'n Paris* and
Gilbert to wryte to me?
and yat I wald fend Joseph
away? I am abaschit quha
hes schawn him sa far; zea,
he spak evin of ye marriage
of Bastiane.

* This beirer
will tell you
sumwhat upon
this.

I inquiryt him of his lette-
ris, quhairintil he plenzeit of
the crueltie of sum: answe-
rit, that he was astonischit,
and that he was sa glaid to
sé me, that he belevit to
die for glaidness. He fand
greit fault that I was pensive.

I departit to supper. This
beirer will tell zow of my ar-
ryuing. He prayit me to re-
turne: the quhilk I did. He
declairit

Rex accersivit Joachimum
heri, ac eum interrogavit, cur
non prope se diverterem? id
enim si fecissem, se citius sur-
recturum; item cur venissem?
an reconciliationis causa? ac
nominatim, an tu hic esses?
an familiarum catalogum fecis-
sem? an Paridem & Gilber-
tum accepissem, qui mihi
scriberent? an Josephum di-
missura essem? Miror quis ei
tantum indicarit; etiam us-
que ad nuptias Sebastiani ser-
mo pervenit.

Ego eum de suis literis ro-
gavi, in quibus questus erat de
quorundam crudelitate; re-
spondit, se nonnihil esse atto-
nitum, meumque ei conspectum
tam jucundum, ut putaret se
lætitia moriturum. Offende-
batur eo quod tam cogita-
bunda essem.

Ego disceffi ad coenam.
Qui has fert tibi de meo ad-
venu narrabit. Rogavit me
ut redirem, quod & feci. Su-
um

Le Roy appella hier Joachim, & l'interroga, pourquoy je
n'alloye loger pres de luy? & que si je le faisoie, il seroit plus-
tost remis sus; item pourquoy j'estoye venue? & si c'estoit pour
faire une reconciliation? si vous estiez icy? & si j'avoye fait
quelque rolle de mes domestiques? si j'avois prins Paris & Gil-
bert, afin qu'ils m'eussent écrit? & si je ne vouloye pas licentier
Joseph? Or je m'estonne qui luy en a tant déclaré; car
mesme il a tenu propos de Sebastian.

Je l'ay enquis de ses lettres, ou il s'estoit plaint de la cru-
auté d'aucuns. Il respondit, qu'il estoit aucunement estonné,
& qu'il se trouvoit si joyeux de me voir qu'il pensoit mourir de
joye. Cependant il estoit offensé de ce que j'estois ainsi pensive.

Je m'en allay soupper. Celuy qui vous porte ces lettres
vous fera entendre de ma venue. Il me pria de retourner, ce
que je fay. Il me declara son mal, adjoustant, qu'il ne vou-
loit

declarit unto me his seiknes, and that he wald mak na testament, bot only leif all thing to me; and that I was the cause of his miladie, becaus of the regrait that he had that I was so strange un to him. And thus he said: Ze ask me quhat I mene be the cruelitie contenit in my letter? it is of zow alone that will not accept my offeris and repentance. I confes that I haue failit, bot not into that quhilk I ever denyit; and sicklyke hes failit to fundrie of zour subjectis, quhilk ze have forgeuin.

I am zoung.

Ze will say, that ze have forgevin me oft tymes, and zit yat I returne to my faultis. May not ane man of my age, for lacke of counsel, fall twyse or thryse, or inlacke of his promiseis, and at last repent himself, and be chastisit be experience?

um mihi morbum explicavit, seque nulum testamentum facturum, nisi id unum, quod omnia mihi relinqueret; me autem sui morbi causam fuisse, quod moleste tulisset me iam alieno erga se animo fuisse. Ac postea inquit, Me rogas quid si i velit illa crudelitas, cujus mentio est in meis literis? ad te unam id spectat. quæ meas pollicitationes ac poenitentiam recipere non vis. Fa-teor a me peccatum esse, sed non in eo quod semper negavi; peccavi etiam *adversus* quosdam civium tuorum, quod mihi abs te condonatum est.

Ego sum adolescens.

Ac tu dicis, quod post veniam sæpe abs te datam, adhuc ad peccata redeo. Nonne homo, qua ego sum ætate, consilio destitutus, bis aut ter labi potest. aut pollicitis non stare, ac deinde sui errati poenitere, & rerum usu corrigi?

Quod

loit point faire de testament, sinon cestuy seul, c'est qu'il me laisseroit tout; & que j'avoie esté la cause de sa maladie, pour l'ennuy qu'il avoit porté que j'eusse l'affection tant esloignée de luy. Et puis apres, Vous me demandez, dit-il, que veut dire ceste cruauté dont je fay mention en mes lettres? cela s'adresse seulement à vous, qui ne voulez recevoir mes promesses ny ma repentance. Je confesse que j'ay grandement offensé, mais non en ce que j'ay tousjours définié; j'ay aussi peché à l'encontre d'aucuns de vos citoyens, ce que vous m'avez pardonné.

Je suis jeune.

Vous dites cependant, qu'apres m'avoir souvent pardonné, je retourne en semblables fautes. Un homme de mesme age que je suis, & destituté de conseil, ne peut il pas faillir deux ou trois fois, ou ne tenir pas quelque fois promesse, & apres se repentir de sa faute, en se corrigeant par l'usage des occurrences?

experience? Gif I may obtene pardoun, I protest I fall never mak fault agane. And I craif na uther thing, bot yat we may be at bed and buird togidder as husband and wyfe; and gif ze will not consent heirunto, I fall never ryse out of yis bed. I pray zow, tell me zour resolution. God knawis how I am punischiit for making my god of zow, and for hauing na uther thocht bot on zow; and gif at ony tyme I offend zow, ze ar the caus, becaus, quhen ony offendis me, gif, for my refuge, I nicht playne unto zow, I wald speik it unto na uther body; bot quhen I heir ony thing, not being familiar with zow, necessitye constrains me to keip it in my breist; and yat causes me to tyne my wit for verray anger.

I answerit ay unto him, bot that wald be ovir long to wryte at length. I askit quhy he

Quod si veniam impetrare poterō, polliceor me nunquam posthac peccaturum. Nihil autem aliud peto, nisi ut communi mensa & lecto, tanquam conjuges, utamur: ad hæc nisi tu consentias, nunquam ex hoc lecto resorgam. Te rogo, ut mihi indices quid decreveris. Novit autem Deus quid poenarum feram, quod deum mihi te fecerim. ac nihil aliud nisi te cogitem: quod si quando te offendo, tu ipsa in causa es, nam cum aliquis me offendit, si id perfugium haberem, ut apud te queri possem, ad neminem alium querelam deferrem: sed si quid audio, nec te familiariter utor, cogor id in pectore clausum tenere; quæ res ita me angit, ut mentem & consilium mihi prorsus excutiat.

Ego semper ei respondebam, sed nimis longum esset omnia perscribere. Rogavi eum

rences? Que si je puis obtenir pardon, je promets cy apres de ne plus offenser. Je ne vous demande rien davantage. sinon que nous ne faisons qu'une table, & un liêt. comme ceux qui sont mariez: à cela si vous ne consentez, je ne releveray jamais de ce liêt. Je vous prie, de me faire entendre ce que vous avez delibere: car Dieu sçayt quelle peine je porte, de ce que j'ay fait de vous un dieu, & que je ne pense à autre chose qu'à vous: que si je vous offinsé quelquefois, vous en estes cause, veu que quand on m'offense si j'avoye ce refuge, que je me peusse plaindre vers vous, je ne serois ma complainte à autre; mais si j'entend quelque chose, & que je n'aye familiarité avec vous, je suis contraint de la retenir close en mon cœur; ce qui me tourmente tellement, qu'il m'oste du tout l'entendement & le conseil.

Je luy respondoye tousjours, mais il seroit long de tout escrire. Je luy ay demandé pourquoy il deliberoit s'en aller en

he wald pas away in ye Inglis schip. He denyis it, and sweiris thairunto; bot he grantis that he spak with ye men. Efter this I inquiryt him of the inquisition of Hiegait. He denyit the same, quhil I schew him the verray wordis was spokin. At quhilk tyme he said, that Mynto had advertist him, that it was said, that some of the counsell had brought an letter to me to be subscrivit to put him in presoun, and to slay him gif he made resistance. And he askit the same at Mynto himself; quha answerit, that he belevit the same to be trew. The morne I wil speik to him upon this point. As to the rest of Willie Hiegait's, he confessit it, bot it was ye morne efter my cumming or he did it.

He wald verray fane that I suld ludge in his ludgeing. I refusit it, and said to him, that he behovit to be purgit, and that culd not be done heir. He said to me, I heir
say

eum cur discessum adornare in ista nave Anglica. Ille id pernegat, adjecto etiam juramento; sed confessus est se cum Anglis colloquutum. Postea rogavi eum de quaestione Gulielmi Hiegait. Id quoque negavit, donec ipsa verba, quæ prolata erant, ei detulisset. Tum dixit se certiore a Minto factum, dici quendam e concilio literas de se mittendo in carcerem, ac, nisi pareret, occidendo, ad me detulisse ut subscriberem: ac se idem ex ipso Minto quaesivisse; eumque respondiisse, sibi verum videri. De hoc capite eum cras conveniam. Quod ad reliqua de Gulielmo Hiegait, ea confessus est; nec id nisi postridie quam veneram.

Magnopere cupiebat ut ego in ejus hospitio apud eum diverterem. Ego recusavi, ac dixi ei opus esse purgatione, nec id hic fieri posse. Dixit se accepisse quod lecticam mecum

en ce navire Anglois. Ce qu'il nia, voire avec jurement; mais il a confessé avoir parlé avec les Anglois. Après je l'ay enquires touchant la dispute de Guillaume Hiegait. Ce qu'il a aussi desnié, jusques à ce que je luy ay rapporté les mesmes paroles qu'il avoit proferées. Alors il dit, qu'il estoit adverty par Minto, qu'on disoit, qu'un du conseil m'avoit apporté des lettres, afin de les signer, pour le faire mettre en prison, voire, s'il n'obeïssoit, pour le tuer. Et qu'il enquist le semblable de Minto, qui respondit, que cela luy sembloit vray. De ce chef je luy en parleray demain. Quant au reste, touchant Guillaume Hiegait, il l'a confessé, mais non jusques au jour d'après mon arrivée.

Il desiroit fort que j'allasse loger en son hostel; ce que j'ay refusé, luy disant, qu'il avoit besoin de purgation, & que cela
ne

say ze have brocht ane lytter with zow; bot I had rather have passit with zow. I trow he belevit that I wald have send him away presoner. I answerit, that I wald tak him with me to Craigmillar, quhair the mediciner and I micht help him, and not be far from my sone. He answerit, that he was reddy when I pleisit, sa I wald assure him of his requeist.

He desyris na body to sé him. He is angrie quhen I speik of Walcar, and sayis, that he fall pluk the eiris out of his heid, and that he leis: For I inquyrit him upon that, and yat he was angrie with sum of the Lordis, and wald threitten thame. He denyis that, and sayis he luifis thame all, and prayis me to give traist to nothing againis him. As to me, he wald rather give his lyfe or he did ony displeasure to me.

And

cum attulissém; se vero maluisse mecum una proficisci. Credebat, opinor, quod in carcerem eum aliquo amandatura essem. Ego respondi, quod ductura mecum essem ad Craigmillarium, ubi et medici & ego possemus ei adesse, neque longe a meo filio abesse. Ille respondit, se, ubi vellem, paratum esse, modo de eo quod peteret securum se facerem.

Cupiebat ne a quoquam conspiceretur. Irascitur quoties ei mentionem Walcarii facio, ac se, dicit, aures ei e capite avulsurum, ac mentiri eum ait; nam de hac re eum interrogaram, ac de eo quod iratus esset quibusdam procerum, atque eis minaretur. Id negat; & ait omnes sibi charos esse, ac me rogat ne quid secus de se crederem. Quod ad me attinet, se malle de vita discedere, quam quicquam committere quod me offenderet.

Ac

ne se pouvoit faire. Il adjousta, qu'il avoit entendu que j'avoie amené une litiere, & qu'il eust mieux aymé aller ensemble avec moy. J'estime qu'il pensoit que je le voulusse envoyer prisonnier quelque part. Je respondy, que je le meneroie avec moy à Craigmillar, afin que là les medecins & moy le peussions secourir, & que je ne m'esloignasse de mon fils. Il respondit, qu'il estoit prest d'aller, où je vondroye, pourveu que je le rendisse certain de ce qu'il m'avoit requis.

Il desiroit de n'estre veu de personne. Il se fache toutes les fois que je luy parle de Walcar, & dit, qu'il luy arrachera les oreilles de la teste, & qu'il a menty: car je l'avoie interrogé de cela, & de ce qu'il s'estoit courroucé contre aucuns des seigneurs, & les avoit menassez. Ce qu'il nie, & dit qu'il les ayme tous, & me prie que je ne croye point autrement de luy: & quant à ce qui me touche, qu'il aymeroit mieux mourir, que de faire chose qui me peust offenser.

Or

And efter yis he schew me of sa mony lytil flattereis, sa cauldly and sa wysely, that ze will abasche thairat. I had almaist forzet that he said, he culd not dout of me in yis purpois of Hiegaite's; for he wald never belief yat I, quha was his proper flesche, wald do him ony evil; alswyll it was schawin that I refusit to subscribe the same: But as to ony *utheris* that wald persew him, at *leist* he suld sell his lyfe deir aneuch; bot he suspectit na body, nor zit wald not; but wald luse all yat I lufit.

He wald not let me depart from him, bot desyrit yat I suld walk with him. I mak it seme that I believe that all is trew, and takis heid thairto, and excusit my self for this nicht that I culd not walk. He sayis, that he sleipis not weil. Ze saw him never better, nor speik mair humbler. And gif I had not
anc

Ac postea tantum minutarum adulationum tam moderate ac tam prudenter mihi effudit, ut tibi res admirationi sit futura. Pene oblita eram quod dixit, in hoc negotio Hiegait non posse de me quicquam suspicari; se enim nunquam crediturum, quod ego, quæ propria ejus caro essem, quicquam mali ei facerem. Etiam se rescisse, quod ego ei rei subscribere recusassem: quod si quis suam vitam peteret, facturum ut satis magno ei constaret; sed sibi neminem nec suspectum esse, nec futurum; sed se omnes dilecturum quos ego diligerem.

Nolebat permittre ut a se discederem, sed cupiebat ut una secum vigilarem. Ego simulabam omnia videri vera, ac mihi curæ esse, atque excusavi quod illa nocte vigilare non possem. Ait se non bene dormire: nunquam vidi eum melius habere, aut loqui humiliter. Ac nisi experimento didicissem, quam esset ejus
cor

Or apres il m'a usé de tant de petites flateries, avec tel poids & discretion, que vous en seriez estonné. J'avoye, peu s'en faut, oublié ce qu'il dit sur le fait de Hiegait, qu'il ne peut rien soupçonner de moy, & qu'il ne croira jamais que moy, qui suis sa propre chair, luy fasse aucun desplaisir; & qu'il sçavoit bien, que j'avoye refusé de souscrire à cela. Que si quelqu'un cherchoit à luy oster la vie, qu'il seroit en forte qu'elle luy seroit cherement vendue; mais que nul ne luy estoit, ou seroit suspect; ains qu'il aymeroit tous ceux que j'aymoye.

Il ne vouloit point permettre que je m'en allasse, mais desiroit que je veillasse avec luy: & je faingnoye que tout cela me sembloit vray, & que je m'en soucioye beaucoup, & en m'excusant, que je ne pouvoye veiller pour ceste nuit-là, il dit, qu'il ne pouvoit bien dormir. Je ne l'ay jamais veu mieux porter, ne parler si doucement; & si je n'eusse appris par l'ex-
perience,

ane prufe of his hart of waxe,
and yat mine wer not of ane
dyamont, qubairintill na fchot
can mak brek, bot that quhilk
cummis furth of zour hand, I
wald have almaist had pietie
of him. Bot fchir not, the
place fall hald unto the deith.
Remember, in recompence
thair of, that ze suffer not
zouris to be wyn be that fals
race that will travel na les
with zow for the fame.

I beleve thay have bene at
fchuillis togidder He hes e-
ver the teir in his eye; he fa-
lutis every body, zea, unto
the leift, and makis pieteous
careffing unto thame, to mak
thame have pietie on him.
This day his fâther bled at
the mouth and nofe; ges
quhat prefage that is. I have
not zit fene him, he keipis his
chalmer. The King defyris
that I fuld give him meit with
my awin handis: bot gif na
mair traift quhair ze ar, than
I fall do heir.

cor cereum, meum adaman-
tinum, & quale nullum telum
penetrare poffet, nifi quod e
tua manu veniat, prope erat,
ut ejus miferia fuiſſem: ſed
ne time, præſidium ad mor-
tem uſque cuſtodietur. Tu
vide ne tuum capi ſinas a
gente illa perfida, quæ non
minore contentione tecum de
hoc ipſoaget.

Arbitror in eadem ſchola
doctos fuiſſe. Iſte ſemper in
oculis habet lacrymam; ſalu-
tat omnes, etiam uſque ad in-
fimos, & miferis modis eos
ambit, ut ad ſui miſericordi-
am eos perducatur. Hodie pa-
tri ejus ſanguis e naribus &
ore fluxit; tu conjice quale
id ſit præſagium. Nondum e-
um vidi, continet enim ſe in
cubiculo. Rex poſcit ut meīs
manibus ſibi tradam cibum;
ſed tu nihilo magis iſtic ſis
crediturus, quam ego hic ero.

This

Hæc

perience, combien il avoit le cœur mol comme cire, & le mien
eſtre dur comme diamant, & lequel nul trait ne pouvoit per-
cer, ſinon deſcoché de voſtre main, peu s'en euſt fallu que je
n'euffe eu pitié de luy: toutesfois ne craignez point, ceſte
fortereſſe ſera conſervée juſques à la mort; mais vous regar-
dez que ne laiſſiez ſurprendre la voſtre, par ceſte nation infi-
dele, qui avec non moindre opiniaſtrete debatra le meſme avec
vous.

J'eſtime qu'ils ont eſté enſeignez en meſme eſcole. Ceſtui-
cy a tousjours la larme à l'œil; il ſalüe tout le monde, voire
juſques au plus petits, & les flatte d'une façon pitoyable, afin
qu'il les amène juſques à avoir compaſſion de luy. Aujourd'-
huy le ſang eſt fort du nez & de la bouche à ſon pere; vous
done devinez maintenant quel eſt ce preſage. Je ne l'ay
point encor veu, car il ſe tient en ſa chambre. Le Roy me
requiert que je luy donne à manger de mes mains; or vous
n'en croyez pas par dela rien d'avantage, pendant que je fuiſicy.

Voilà

This is my *first jorney* : I fall end ye same ye morne. I wryte all thingis, howbeit thay be of lytill wecht, to the end that ze may tak the best of all to judge upon. I am in doing of ane work heir that I hait greitly. Have ze not desyre to lauch to sé me lie sa weill, at ye leist to dissembill sa weill, and to tell him treuth *betwix handis* ? He schawit me almaist all yat is in the name of the Bischop and Sudderland; and zit I have never twichit ane word of that ze schawit me; bot allanerly be force, flattering, and to pray him to assure himself of me. And be pleinzeing on the bischop, I have drawin it all out of him. Ze have hard the rest.

We ar couplit with two fals races; the *devil* *sinder* us, and *God* *knyt* us togidder for ever, for the maist faith-ful

Hæc est mea *primi diei expeditio*, eandem cras finiam. Omnia scribo, etsi non sunt magni ponderis, ut tu optima seligendo judicium facias. Ego in negotio mihi maxime ingrato versor. Nunquid subit cupiditas ridendi, videndo me tam bene mentiri, saltem dissimulare tam bene, ac *interim* vera dicere? Omnia mihi aperuit sub nominibus Episcopi & Sutherlandi; nec tamen adhuc collocuta sum, aut verbo attigi, quicquam eorum quæ tu mihi declarasti; sed tantum vi adulationum & precum ago, ut a me sit securus: & conquerendo de Episcopo, omnia de eo expiscata sum: cetera audisti.

Nos sumus conjuncti cum duobus infidis hominum generibus: diabolus nos sejungat, ac nos conjungat Deus in perpetuum,

Voyla ce que j'ay *despeché pour mon premier jour*, esperant achever demain le reste. Je vous escry toutes choses, encor qu'elles soient de peu d'importance, afin qu'en eslisant les meilleurs, vous en fassiez jugement. Je suis occupée en une affaire qui m'est infiniment desagreable. Ne vous prend-il pas envie de rire de me voir ainsi bien mentir, au moins de si bien dissimuler en disant verité? Il m'a tout descouvert sous le nom de l'Evesque & de Sutherland; et toutesfois je ne luy ay encor parlé, ny dit un seul mot, de ce que vous m'avez déclaré; ains seulement je le poursuy par force de flateries & prieres, afin qu'il s'assure de moy. Et me plaignant de l'Evesque, j'ay sceu toutes choses de luy, & entendu le reste.

Nous sommes conjoints avec deux especes d'hommes infidelles; le *diable* nous vueille *separer*, & que *Dieu* nous *conjoigne* à jamais, à ce que soyons deux personnes tres-fideles, si jamais

ful couplil that ever he unitit.
This is my faith, I will die
in it.

Excuse I wryte evil, ze may
ges ye half of it : bot I can-
not mend it, becaus I am not
weil at eis; and zit verray
glaid to wryte unto zow
quhen the rest are sleipand,
fen I cannot sleip as thay do,
and as I wald desyre, that is,
in zour armes, my deir lufe,
quhome I pray God to pre-
serve from all evil, and send
zow repos. I am gangand
to seik myne till ye morne,
quhen I fall end my *bybill* :
bot I am feschit that it stop-
pis me to wryte newis of my-
self unto zow, becaus it is *sa-
lang*. Advertise me quhat
ze have deliberat to do in the
mater ze knaw upon this
point, to ye end that we may
understand utheris weil, that
nathing thairthrow be *spilt*.

I

perpetuum, ut simus fidissimum
par quod unquam junctum est.
Hæc mea fides est, in ea volo
mori.

Excusa quod male pingam,
dimidium te oportet divinare;
sed ego ei rei mederi non pos-
sum, non enim optime valeo;
& tamen magna fruor lætitia
scribendo ad te cum alii dor-
munt; quando ego dormire
non possum, ut illi faciunt,
nec ut ego vellem, hoc est,
in tuo complexu, mi care a-
mice, a quo precor Deum ut
omnia mala avertat, & quie-
tem mittat. Ego eo ut meam
quietem inveniam in crasti-
num, ut tuum mea *biblia* fini-
am; sed angor quod ea me
a scribendo de meipsa ad te
impediat, quia *tam diu* est.
Fac me certiorum quid, de re
quam nosti, decreveris, ut al-
ter alterum intelligamus, ne
quid ob id *secus* fiat.

Ego

autres ont esté conjointes ensemble. Voila ma foy, & veux
mourir en icelle.

Excusez moy que j'escriy mal, il faudra que vous en devi-
niez la moitié : mais je ne puis remedier à cela, car je ne
suis pas à mon aise; & neantmoins j'ay une grande joye en
vous escrivant pendant que les autres dorment, puis que de ma
part je ne puis dormir comme eux, ny ainsi que je voudroye,
c'est à dire, entre les bras de mon tres cher amy, du quel,
je prie Dieu, qu'il vueille destourner tout mal, & luy donner
bon succes : je m'en vay pour trouver mon repos jusques au
lendemain, afin que je finisse icy ma *bible*; mais je suis fa-
chée que ce repos m'empesche de vous escrire de mon fait,
par ce qu'il *dure tant*. Faites moy sçavoir ce que vous avez
deliberé de faire touchant ce que sçavez afin que nous nous
entendions l'un l'autre, & que rien ne se fasse *autrement*.

J:

I am *irkit*, and ganging to sleip, and zit I cease not to scribble all this paper in sa meikle as restis thair of. Waryit mot this pockische man be that caufes me haif sa meikle pane; for without him I suld have an far plesander subject to discourse upon. He is not over meikle deformit, zit he hes ressavit verray meikle. He hes almaist flane me with his breath; it is worse than zour *uncle's*; and zit I cum na neirer unto him, bot in ane chyre at the bed seit, and he being at the uthir end thair of.

The messager of the father in the gait.

The purpois of Schir James Hamilton.

Of that the *laird* of Lusse schawit me of the delay.

Of the demandis that he askit at Joachim.

Of my estait.

Of

Ego *nudata* sum, ac dormitum eo, nec tamen me continere possum, quo minus quod restat chartæ deformiter conscriberem. Male sit isti variolato, qui me tot laboribus exercet; nam absque eo esset ut materiam multo elegantiorē ad differendum haberem. Non magnopere deformatus est, multum tamen accepit. Pene me suo encavavit anhelitu; est enim gravior quam tui *propinqui*; & tamen non accedo propius ad eum, sed in cathedra sedeo ad pedes ejus, cum ipse in remotissima lecti parte sit.

Nuncius patris in itinere.

Sermo D. Jacobi Hamiltonii.

De eo quod Lussæ *comarchus* mihi retulit de dilatione.

De quibus interrogavit Joachimum.

De ordinatione familiæ.

De

Je suis *toute nue*, & m'en vay coucher; & neantmoins je ne me puis tenir que je ne barbouille encor bien mal, ce qui me reste de papier. Maudit soit *se tavelé*, qui me donne tant de travaux; car sans lui j'avoie matiere plus belle pour discourir. Il n'a pas esté beaucoup rendu diforme, toutesfois il en a pris beaucoup. Il m'a quasi tuée de son halene, car elle est plus forte que celle de vostre *parent*; & neantmoins je n'approche pas pres de luy; mais je m'affieds en une chaire à ses pieds, luy estant en la partie du liēt plus esloignée.

Du messager du pere sur le chemin.

Du dire du Sieur Jacques Hambleton.

De ce que le *prevost* de Lusse m'a rapporté touchant le retardement.

De ce qu'il s'est enquis à Joachim.

Du reglement de la famille.

U n 2

De

Of my company.
Of the occasioun of my
cumming.

And of Joseph.

Item, The purpos that he
and I had togidder.

Of the desyre that he hes
to pleis me, and of his repen-
tance.

Of the interpretatioun of
his letter.

Of Willie Hiegate's mat-
ter; of his departing.

Of Monsiure de Leving-
stoun.

I had almaist forzet, that
Monsiure de Levingstoun said
in the Lady Reres eir at sup-
per, that he wald drink to ye
folk yat I wist of, gif I wald
pledge thame. And efter sup-
per he said to me, quhen I
was lenand upon him warm-
ing me at the fyre, *Ze have
fair going to sé seik folk, zit
ze cannot be sa welcum to
thame as ze left sum body this
day*

De meo comitatu.

De causa mei adventus.

De Josepho.

Item, De sermone inter me
& illum.

De ejus voluntate placendi
mihi, & de ejus poenitentia.

De interpretatione suarum
literarum.

De negotio Gulielmi Hie-
gait, & de suo discessu.

De Domino de Levington.

Pene oblita eram, quod Do-
minus Levingtonius D. Reresiae
dixit in aurem, dum coenaret,
quod praeberet eis quos nos-
sem, ea lege ut ego rebibe-
rem eorum nomine. Ac post
coenam dixit mihi, dum ad
ignem calciebam cum ei inni-
terer, *Bella, inquit, hujusmo-
di hominum visitatio*; non ta-
men tanta e tuo accessu potest
eis esse lætitia, quanta in mo-
lestia

De ma fuite.

De la cause de mon arrivée.

De Joseph.

Item, Du devis d'entre moy & luy.

De la volonté qu'il a de me complaire, & de sa repentance.

De l'interpretation de ses lettres.

Du fait de Guillaume Hiegait, & de son depart.

Du Sieur de Levingstoun.

Peu s'en faut que je n'aye oublié, comme le Sieur de Levin-
stoun a dit à l'oreille en souvant a Mademoiselle Reres, qu'elle
beut à ceux qu'elle cognoissoit, sous condition que je le plei-
geroye en leur nom. Et apres souper il me dit, comme je
me chauffoye anpres du feu, estant appuyée sur son espaule,
Voyla une belle visitation de telles gens; mais toutesfois la joye
de nostre venue ne leur peut estre si grande, combien est la
facherie

day in regrait, that will never be blyth quhill he sé zow agane. I askit at him quha that was. With that he thristit my body, and said, that sum of his folkis had sene zow in fascherie ; ze may ges at the rest.

I wrocht this day quhill it was twa houris upon this bracelet, for to put the key of it within the lock thair of, quhilk is couplit underneth with twa cordonis. I have had sa lytill tyme that it is evill maid ; but I fall mak ane fairer. In the meane tyme tak heid that nane that is heir sé it, for all the warld will knaw it, becaus for haist it was maid in yair presence.

I am now passand to my fascheous purpois. Ze gar me dissemble sa far, that I haif horring thairat ; and ye caus me do almaist the office of a traitores. Remember how gif
it

lestia quidam hodie relictus est, qui nunquam lætus erit, donec te iterum videbit. Ego de eo quæsi quifnam is esset. Ille arctius corpus meum comprimens, respondit, unus eorum qui te reliquerunt ; tu quis sit divinare potes.

Ego hodie elaboravi usque ad horam secundam in hac armilla, ut clavem includerem, quæ subius annexa est duobus funiculis ; male autem facta est ob temporis angustiam, sed faciam pulchriorem. Interim prospice, ne quisquam eorum qui hic sunt videat ; quia omnes mortales eam agnoscent, tanta festinatione in omnium oculis facta est.

Nunc proficiscor ad institutum meum odiosum. Tu me adeo dissimulare cogis, ut etiam ipsa horream ; ac tantum non proditricis partes me agere cogis. Illud reminiscere, quod

facherie à celuy qui a esté delaisié seul aujourd'huy, & qui ne fera jamais joyeux, jusques à ce qu'il vous ayt veü. Derechef je luy demanday qui estoit cestuy là : luy m'embrassant plus estroitement me respondit, c'est l'un de ceux qui vous ont laissée. Vous pouvez deviner qui est cestuy-là.

J'ay aujourd'huy travaillé jusques à deux heures en ce brasselet, pour y enfermer la clef, qui est jointe au bas avec deux petites cordes. Il est mal fait, à cause du peu de temps qu'on a eu ; mais j'en feray un plus beau. Cependant advisez que personne de ceux qui sont icy ne le voye, car tout le monde le cognoist, tant il a esté fait à la haste devant les yeux de chacun.

Maintenant je vien à ma deliberation odieuse. Vous me contraignez de tellement dissimuler, que j'en ay horreur, veu que vous me forcez de ne jouir pas seulement le personnage d'une trahistresse. Qu'il vous souviennne, que si l'affection de

vous

it wer not to obey zow, I had rather be deid or I did it; my hart bleidis at it. Summa, he will not cum with me, except upon condition that I will promise to him, that I sall be at bed and buird with him as of befoir, and that I sall leif him *na oſter*: And doing this upon my word, he will do all thingis that I pleis, and cum with me. But he has prayit me to remane upon him quhil uther morne.

He ſpake verray bravely at ye beginning, as yis beirer will ſchaw zow, upon the purpois of the Inglifmen, and of his departing: Bot in ye end he returnit agane to his humilitie.

He ſchawit, amangis uther purpoſis, yat he knew weil aneuch that my brother had ſchawn me yat thing, quhilk he had ſpokin in Striviling, of the quhilk he denyis ye
ane

quod niſi tibi obſequendi deſiderium me cogeret, mallem mori, quam hæc committere; cor enim mihi ad hæc ſanguinem fundit. Breviter, negat ſe mecum venturum, niſi ea lege, ut ei pollicear me communi cum eo menſa & thoro uſuram velut antea, ac *ne ſæpius* eum derelinquam. Hoc ſi faciam, quicquid velim faciet, ac me comitabitur; ſed me rogavit, ut ſe expectarem in diem perendinum.

Valde ferociter ab initio loquebatur, uti qui has fert tibi narrabit, de colloquio cum Anglis, de ſuo diſceſſu; ſed tandem reverſus eſt ad ſuam humanitatem.

Inter alia conſilia quæ mihi retulit, ſe ſatis ſcire, quod meus frater ad me detuliſſet, quæ ipſe cum eo egiffet Sterlini; quarum rerum dimidium negavit, ac maxime illud, quod

vous plaire ne me forçoit, j'aymeroye mieux mourir que de commettre ces choſes; car le cœur me ſeigne en icelles. Bref, il ne veut venir avec moy, ſinon ſoubs ceſte condition, que je luy promette d'uſer en commun d'une ſeule table, & d'une meſme liêt, comme auparavant, & que je ne l'abandonne *ſi ſouvent*: Et que ſi je fay ainſi, il fera tout ce que je voudray, & me ſuivra. Mais il m'a prié, que je l'attendiffé encor deux jours.

Au commencement il parloit fort aſprement, comme vous recitera celui qui porte les preſentes, du devis eu avec les Anglois, & de ſon depart: mais enfin il revint à ſa douceur.

Entre autres ſecrets qu'il me recita, il dit, qu'il ſçavoit bien, que mon frere m'avoit rapporté ce qu'il avoit fait avec luy à Stirling, des quelle choſes il a nié la moytié, & principale-
ment,

ane half, and abone all, yat ever he came in his chalmers. For to mak him traist me, it behovit me to senzé in sum thingis with him: Thairfoir, quhen he requesitit me to promeis unto him, that quhen he was hail we suld have baith ane bed, I said to him fenzeingly, and making me to beleve his promissis, that gif he changeit not purpois betwix yis and that tyme, I wald be content thairwith; bot in the meane tyme I bad him tak heid that he leit na body wit thairof, becaus, to speik amangis ourselfis, the Lordis culd not be offendit, nor will evill thairfoir: Bot thay wald feir in respect of the *boisting* he maid of thame, that gif ever we aggreit togidder, he suld mak thame knaw the lytill compt thay tuke of him; and that he counsallit me not to purchas sum of thame by him. Thay
for

quod fratris mei cubiculum esset ingressus. Ut ego facilius fidem apud eum assequer, necesse mihi erat quædam fingendo ei obsecundare. Quamobrem cum rogaret ut ei pollicerer, cum primum revaluisset, communem nobis fore lectum, ego dissimulante dixi, ac fingens me bellis ejus pollicitationibus fidem habere, me consentire, nisi ille interea propositum mutaret; sed interea videret ne quisquam id rescisceret, propterea quod procures nostris colloquiis offendi non possent, nec ideo male velle: sed in timore futuros quod *comitatus* fuisset si aliquando inter nos concordēs essemus, se datum operam ut intelligerent quam parvi cum æstimassent; item, quod mihi consulisset ne gratiam quorundam seorsum a se expeterem. Has ob causas eos in magna suspitione futuros, si ego faciem

ment, qu'il fust entré en la chambre de mon frere. Et afin qu'il me creust plustost, j'estoye contrainte de luy accorder quelque chose en dissimulant: par quoy, lors qu'il me priaist que je luy promisse, qu'incontinent qu'il seroit guery, nous ne faisons plus qu'un liêt, je luy dy par dissimulation, en faignant, que je croye à ses belles promesses, que je l'y accorderoye, pourveu qu'il ne changeast d'avis; mais cependant, qu'il regardast que personne n'en sceust rien, parce que les seigneurs ne pourroient estre offensez de nos propos, ny consequemment nous en vouloir mal. Ains seroient en crainte de ce qu'il m'auroit *suivy*. Et sinous pouvions estre d'accord ensemble, qu'il pourroit donner ordre, qu'ils entendoient combien peu ils l'avoient estimé. Item, de ce qu'il m'avoit conseillé, que je ne recherchasse la bonne grace d'aucuns sans luy. Et pour ces raisons qu'ils seroient

for this cause wald be in jelo-
fy gif at anis, without thair
knowledge, I suld break the
play set up in the contrair in
thair presence.

He said, *verray joyfully*,
And think zow thay will e-
steme zow the mair of that?
Bot I am verray glaid that
ze speik to me of the Lordis;
for I beleve at this tyme ze
desyre that we suld leif to-
gidder in quyetes: For gif
it wer uthervyse, greiter in-
convenience might cum to us
baith than we ar war of:
bot now I will do quhat ever
ze will do, and will lufe *all*
that ze lufe; and desiris zow to
mak thame lufe in lyke ma-
ner: For, sen thay seik not
my lyfe, I lufe thame all e-
quallie. Upon yis point this
beirer will schaw zow mony
small thingis. Becaus I have
over mekle to wryte, and it
is lait, *I give traist unto him*
upon

faciem scenæ ad contrariam
huic fabulam instructæ, in
præsentia, eis inficiis, turba-
rem.

Tum ille *vehementer lætus*
subjecit, Et tu putas ne quod
pluris illi te æstimabunt ob
hanc causam? Sed valde gau-
deo quod sermonem de proce-
ribus injecisti; nunc quidem
credo te cupere, ut una con-
corditer vivamus: nam ni
ita esset, majora quam uter-
que timemus incommoda u-
trique possent evenire; sed
nunc, quod tu vis, volo, &
quod amabis amabo; & cu-
pio ut eorum similiter concili-
es amorem: Quia postquam
non petunt vitam meam, o-
mnes amo ex æquo. Circa hoc
caput hic tabellarius multa mi-
nuta tibi declarabit: Quia ni-
mis multa supersunt scribenda,
& jam serum est, *huic adhibe-*
bis fidem juxta tuum verbum.

Breviter,

en grand soupçon, si je troubloy ainsi maintenant la face du
theatre, qui avoit esté appresté pour jouer une autre fable.

Alors estant *grandement joyeux*, il adjousta, Et pensez-vous
que pour cela ils vous en estiment d'avantage? Mais je suis
bien aise que vous avez fait mention des seigneurs; maintenant
je croye, que vous desirez que nous vivions ensemblement en
paix: car s'il estoit ainsi, beaucoup plus grandes fascheries
nous pourroient advenir à tous deux, que nous ne craignons;
mais à present je veux ce que vous voulez, & aimeray *ce que*
vous aimerez; & desire que pareillement vous acqueriez leur
amitié: car puis qu'ils ne pourchassent à m'oster la vie, je les
aime tous esgalement. Touchant ce chef, le porteur vous re-
citera plusieurs particularitez: d'autant qu'il y a trop de cho-
ses qui restent à escrire, & qu'il est desia tard, *vous adjouste-*

upon your word. Summa, he will go upon my word to all places.

Alace! I never dissav'd any body: Bot I remit me altogether to your will. Send me advertisement what I shall do, and whatsoever thing shall cum thair of, I shall obey you. Advise to with yourself, gif ze can find out any mair secret invention by medicine; for he shall tak medicine and the bath at Cragmillar. He may not cum furth of the house this lang tyme.

Summa, be all that I can learne, he is in greit suspicion, and zit notwithstanding, he gevis credit to my word; bot zit not so far that he will schaw any thing to me: Bot nevertheles, *I shall draw it out of him, gif ze will that I avow all unto him.* Bot I will never rejoyce to dissav'd any body that traitis in me: Zit
not-

Breviter, *meo jussu quovis ibit.*

Hei mihi! nunquam quendam decepi; sed ego me in universum tuæ voluntati subjicio. Fac me certiores quid faciam, & quicumque sequatur eventus, tibi obsequar. Etiam tecum perpende, an comminisci queas aliquam occultiorum rationem per medicinam; sumpturus est enim & medicinam & balneum ad Cragmillarium. Non potest domo egredi ad multos dies.

Breviter, quantum intelligere possum, in magna suspicionem versatur, nihilo tamen minus magnam habet fidem orationi meæ; nec tamen usque adeo ut quicumque mihi efficiat; *nihilo minus ego ex eo, siquidem tu vis, omnia apud eum profitear & agnoscam.* Sed nunquam gaudebo in quovis homine qui mihi fidet,

rez foy selon vostre parole. En somme, il ira ou vous voudrez par mon commandement.

Helas! je n'ay jamais trompé personne; mais je me submets en toutes choses à vostre volonté. Faites moy sçavoir ce que je doy faire; & quoy qu'il en puisse advenir, je vous obéiray. Et pensez en vous mesme, si pouvez trouver quelque moyen plus couvert que par breuvage; car il doit prendre médecine, & être baigné à Cragmillar. Il ne peut sortir du logis d'icy à plusieurs jours.

Brief, à ce qu'en puis entendre, il est en grand soupçon; neantmoins il adjouste beaucoup de foy à ma parole; mais non encores tant, qu'il n'en descouvre quelque chose: toutesfois je confesseray, & reconnoistray tout devant luy, si vous le trouvez bon. Mais si ne m'esjouiray-je jamais à tromper celui qui se fie en moy: neantmoins vous me pouvez commander en toutes choses.

notwithstanding ze may command me in all thingis. Have na evill opinioun of me for that caus, be reissoun ze ar the occasion of it zoursel; becaus, for my awin particular revenge, I wald not do it to him.

He gives me sum chekis of yat quhilk I fear, zea, evin in the quick. He sayis this far, yat his faultis wer publeis: bot yair is that committis faultis, that belevis they will never be spokin of; and zit they will speik of greit and small. As towart the Lady Reres, he said, I pray God that scho may serve zow for your honour: And said, it is thocht, and he belevis it to be trew, that I have not the power of myself into myself, and that becaus of the refuse I maid of his offeris. Summa, for certanetie he suspectis of the thing ze know, and of his lyfe. Bot as to the last, how
fone

dit, decipiendo: nihilo minus tu mihi potes omnibus in rebus imperare. Noli ideo sinistram opinionem de me concipere; quia tu ipse hujus rei mihi author es; nunquam enim istud in eum committerem. meæ propriæ ultionis causa.

Interim me attingit in loco suspecto, idque ad vivum hactenus proloquutus est, sua crimina esse palam; sed sunt qui majora committant, & opinantur ea silentio regi; & tamen homines de magnis juxta & parvis loquuntur. D. Reresia ait, Deum precor, ut officia quæ tibi præstat, sint tibi honori: ait etiam quosdam credere, ac se id verum existimare, me non habere potestatem mei intra me, idque quia recusaverim conditiones a se oblatas. Breviter, certum est quod de eo quod scis, suspicetur, ac de vita etiam. Quod ad posterius, cum primum ego duobus aut tribus bonis verbis eum

choses. Ne concevez donc point de moy aucun sinistre opinion, puis que vous mesmes estes cause de cela; car je ne le feroys jamais contre luy pour ma vengeance particuliere.

Cependant il m'a donné atteinte du lieu suspect, & a jusques icy discoursu bien au vif, que ces fautes sont congneues: mais qu'il y en a qui en commencent de plus grandes, encores qu'ils estiment qu'elles soient cachées par silence; & toutesfois que les hommes parlent des grands aussi bien que des petits. Quant à Reres il dit, je prie Dieu que les services qu'elle vous fait, vous soient à honneur. Il dit aussi, qu'il y en a qui croient, & que de sa part il l'estime veritable, que je n'ay point en moy la puissance de moi mesme, d'autant que j'ay refusé les conditions qu'il avoit offertes. Brief, il est certain qu'il se doute de ce que sçavez, & de sa vie mesmes. Quant au reste,
soudain

sone that I spak twa or thré gude wordis unto him, he rejoyfis, and is out of dout.

I saw him nor this evening for to end zour bracelet, to the quhilk I can get na *lokkis*. It is reddy to thame: and zit I feir that it will bring sum malheur, and may be sene gif ze chance to be hurt. Advetise me gif ze will have it, and gif ze will have mair silver, and quhen I fall retorne, and how far I may speik. He inragis when he heiris of Lethingtoun, or of zow, or of my brother. Of zour brother he speikis na thing. He speikis of the Erle of Argyle. I am in feir quhen I heir him speak; for he asuris himself yat he hes not an evill opinioun of him. He speikis na thing of thame that is out, nouthir gude nor evill, but fleis that point. His father keipis his chalmer, I have not sene him.

eum compello, gaudet, ac timere desinit.

Non vidi eum hac vespera, quia tuam armilam conficiebam, cui nullam possum *ceram* invenire, id enim unum ad perfectionem ei deest; & adhuc vereor ne aliquod se offerat infortunium, & conspici possit, si te contingat lædi. Fac me certiorum num eam velis habere, & si plusculum pecuniæ velis habere, & quando debeam redire, & quem in loquendo modum mihi statuiam. Insanit ad mentionem de Lethingtonio, de te, de fratre meo. De tuo fratre nihil loquitur. De Comite Argatheliæ in timore verfor, quoties eum audio loquentem; pro certo habet eum nihil de se male opinari. De eis qui extra sunt nihil, neque boni neque mali, loquitur, sed semper hunc locum vitat. Pater ejus domi se continet, nondum enim vidi.

All

Omnes

foudain que je luy propose deux au trois bonnes paroles, il se resionit, & n'a point de crainte.

Je ne l'ay point veu ceste apres-destinée, parce que je faisoie vostre brasseler, auquel je ne puis accommoder *de la cire*: car c'est ce qui defaut à sa perfection; & encor je crain, qu'il n'y survienne quelque inconvenient. & qu'il soit recogneu, s'il advenoit que vous fussiez blessé. Faictes moy entendre si vous le voulez avoir, & si avez affaire de quelque peu plus d'argent; & quand je doy retourner, & quel ordre je tiendray à parler à luy. Il enrage quand je fay mention de Lethington, de vous & de mon frere. Il ne parle point de vostre frere. Quant au Conte d'Argathley, je suis en crainte, toutes les fois qu'il en devise. Il s'assure qu'il ne pense point de mal de luy. Quant à ceux qui sont de dehors, il n'en parle ny en bien, ny en mal, seulement il a evité toujours ce lieu. Son pere se tient toujours au logis, & ne l'ay point encores veu.

X x 2

Tous

All the Hamiltonis ar
heir, that accompanyis me
verray honorabillly. All the
friendis of the other convoyis
me quhen I gang to sé him.
He desyris me to cum and sé
him ryse the morne betyme.
For to mak schort, this bei-
rer will tell zow the rest. And
gif I leirne ony thing heir, I
will mak zow memorial at
evin. He will tell zow the
occasion of my remaning.
Burne this letter, for it is o-
vir dangerous, and nathing
weil said in it; for I am
thinkand upon nothing bot
falscherie. Gif ye be in Elin-
burgh at the resait of it, send
me word sone.

Be not offendit, for I gif not
ovir greit credite. Now feing
to obey zow, my dear lufe, I
spair nouthir honour, con-
science, hasarde, nor greit-
nes quhatsumevir; tak it, I
pray zow, in gude part, and
not

Omnes Hamiltonii hic ad-
sunt, & me comitantur valde
honorifice. Alterius omnes a-
mici me comitantur quoties
eum viso. Petit a me ut cras
tempore adsum, ut eum fur-
gentem videam. Ut paucis
absolvam, hic tabellarius re-
liqua tibi narrabit. Si quid
novi hic discam, vespere faci-
am commentarium. Ille tibi
explicabit meæ moræ causam.
Crima has literas, sunt enim
periculosæ, nec quicquam be-
ne in eis dictum; ego enim
nihil cogito nisi molestias. Si
fueris Edinburgi cum has ac-
cipies, fac me certiores.

Noli offendi, quia non ni-
mium fido. Nunc postquam
ob studium tibi obsequendi,
mi chare amice, neque hono-
ri, neque conscientiæ, nec pe-
riculis, neque quantævis mag-
nitudini parco; rogo in bo-
nam

Tous les Hambletons sont icy, qui me sont compagnie assez
honorable. Tous les amis de l'autre me suivent lorsque je le
visse. Il me prie, que je soye demain assez à temps pour le
voir lever. Afin que je le face court, ce porteur vous dira le
surplus. Si j'appren icy quelque chose le soir, je le mettray
en memoire. Il vous declarera la cause de mon retardement.
Brulez ces lettres, car elles sont dangereuses, & s'il n'y a ri-
en qui soit bien couché; je ne pense que choses fautiveuses. Si
vous estes à Elinbourg, quand vous recevrez ces lettres, fai-
ctes-le moy sçavoir.

Ne vous offensez point, si je me fie par trop. Maintenant
done, mon cher amy, puis que pour vous complaire, je n'e-
spargne, ny mon honneur, ny ma conscience, ny les dangers,
ny mesmes ma grandeur quelle qu'elle puisse estre; je vous
prie, que vous le preniez en la bonne part, & non selon l'in-
terpretation

not after ye interpretation of
zour fals gude-brother, to
quhome I pray zou, gif na
credite aganis the maist faith-
ful luifer that ever ze had, or
ever fall have.

Sé not hir, quhais fenzeit
teiris suld not be sa mekle
praisit nor estemit, as the
trew and faithful travellis
quhilk I sustene for to merite
hir place. For obteneing of
the quhilk aganis my natu-
ral, I betrayis thame that may
impesche me. God forgive
me, and God give zow, my
only lufe, the hap and pro-
speritie, quhilk zour humble
and faithful lufe desyris unto
zow, quha hopis to be schor-
tly ane uther thing to zow,
for the reward of my irksom
travellis.

It is lait; I desyre never to
ceis fra wryting unto zow;
zit now, after the kissing of
zour handis, I will end my
letter.

nam partem accipias, ac non
juxta interpretationem falla-
cis fratris uxoris tuæ, cui ro-
go nullam adhibeas fidem ad-
versus fidelissimam omnium
quas aut habuisti, aut habe-
bis, amicam.

Noli eam intueri, cujus fi-
ctæ lachrymæ non debent
tanti esse, quanti fidi labores,
quos ego perfero, ut merear
in ejus locum succedere: quem
ut obtineam, ego eos prodo,
idque adversus ingenium me-
um, qui impedimento esse pos-
sent. Deus mihi det veniam,
& Deus tibi det, mi unice a-
mice, eum successum, & feli-
citatem, quam tua humilis &
fidelis amica tibi optat, quæ
brevi sperat aliud de te in
præmium mei molesti laboris.

Serum est; tamen nun-
quam cupio cessare a scriben-
do ad te; tamen nunc post
oscula manuum tuarum, fi-
nem

terpretation du faux frere de vostre femme, auquel je vous
prie aussi n'ajouter aucune foy contre la plus fidele amye que
vous avez eue, ou que vous aurez jamais.

Ne regardez point à celle, de laquelle les feinctes larmes
ne vous doivent estre de si grand poix, que les fideles travaux
que je souffre, afin que je puisse meriter de parvenir en son
lieu. Pour lequel obtenir, je trahi, voire contre mon natu-
rel, ceux qui m'y pourroient empescher. Dieu me le vueille
pardonner, & vous doit, mon amy unique, tel succez & fe-
licité, que vostre humble & fidele amye le souhaitte, laquelle
espere en brief autre recompense de vous, pur ce mien facheux
labeur.

Il est tard, neantmoins je ne desire jamais cesser de vous
escrire; et toutesfois, apres vous avoir baissé les mains, je fe-
ray fin à mes lettres. Excusez mon ignorance à escrire, & re-
lisez

letter. Excuse my evill wry-
ting, and reid it twyse over.
Excuse that thing that is scri-
blit, for I had na paper zi-
sterday quhen I wrait that of
ye memoriall. Remember
upon zour lufe, and wryte un-
to hir, and that verray oft.
Lufe me as I fall do zou.

Remember zou of the pur-
pois of the Lady Reres.

Of the Inglifmen.

Of his mother.

Of the Erle of Argyle.

Of the Erle of Bothwell.

Of the ludgeing in Edin-
burgh.

nem meis literis imponam.
Excusa meam in pingendo
imperitiam, easque relegē.
Excusa curtionem caracte-
rum, quia heri chartam non
habebam, cum id quod in
commentario erat, scriberem.
Reminiscere tuæ amicæ, ac
sæpe ad eam rescribe. Reda-
ma me, uti ego te amabo.

Reminiscere sermonis de
Reresia.

De Anglis.

De matre ejus.

De Comite Argatheliæ.

De Comite Bothueliæ.

De hospitio Edinburgi.

lisez mes lettres. Excusez la briefueté des caracteres, car
hier je n'avoye point de papier, quand j'escrivi ce qui est au
memoire. Ayez souvenance de vostre amye, & luy rescrivez
souvent. Aimez moy, comme je vous aime : & Ayez me-
moire du propos de Mademoiselle Reres.

Des Anglois.

De sa mere.

Du Conte d'Arghley.

Du Conte de Bothwel.

Du logis d'Edimbourg.

N U M B E R II.

Copy of an original paper in the archives
of the family of Hamilton, intituled on
the back, "Proces of divorce twixt
"Erle Bothwell and his wife, Feb. 21.
"1565."

[From the contents, however, it appears only to be a proof
taken, to shew, that the Earl, and Lady Jane Gordon, his spouse,
were within the degrees of consanguinity prohibited by the Canon
law.]

THE twenty ane day of Februar, the zeir of God i M.
v C. and sextye fyve zeirs, anent the supputatioun and
verificatioun of the degreis of consanguenitie, attening in
dowbill ferdis of consanguenitie: In the quhilkis dispensa-
tioun, passit betwixt an noble and mychty Lord James Hep-
burne, Erle Bodwell, Lord Crichtown, Halis, and Liddis-
dail, grete Admirall of the haill realm of Scotland, &c. and
an nobill and mychty Ladie Jane Gordoun, sister germane to
an nobill and mychty Lord George Erle of Huntlie, Lord
Gordoun, &c. sic proces was usit, as after followis.

The supputatioun & innumeratioun of the said degreis, &c.

George secund, Erle of Huntlie, and first of that name,
beand the stoke.

Margaret Gordon Countess of Bodwell, dochtir to the said
Erle of Huntlie. Erle Bodwell hir son ane.

Erle Bodwell his son that deit in Floudoun twa.

Patrick Erle Bodwell his son quha last decessit in Dumfries,
thre.

James, *now Erle Bodwell*, his son, the ferd.

Alexander the third Erle of Huntlie, and secund of that
name, son to the said George Erle of Huntlie, and bruther
to the said Margaret Countess of Bodwell, ane.

Jhone Lord Gordoun, her sone, twa.

George, the ferd Erle of Huntlie, and second of that
name, his sone, thre.

And Jane Gordoun his dochtir, the ferd.

Item,

Item, Elizabeth Gordoun, Countess of Marfheal, dochtir to the first George Lord and Erle of Huntlie, and sister to the said Margaret Countess of Bodwell, ane.

Robert Keith, maister of Merfheal, her son, twa.

Elizabeth Keith, Countess of Huntlie, his dochtir, three.

And Jane Gordoun hir dochtir, the ferd.

And swa one the faderris syde attening in ferdis of consanguenetie.

And swa upone hir moder syde attening in ferdis of consanguenetie.

Depositiones testium juratorum in praesentia

Magistri Alexandri Forrest rectoris de Logymontrois, protho-notarii secretarii, et datarii Reverendissimi domini et domini Joannis Archiepiscopi Sancti Andreae legati, &c. in innumeratione graduum retro: scriptorum, apud Edinburgh, in cubiculo domini commendatarii de Lundoris, vicesimo primo die mensis Februarii, anno 1565, talis fuit examinatio.

In primis, Jacobus Dunbar de Tarbat, testis juratus & examinatus, deponit, Innumerationem graduum esse veram, prout in retroscripta scedula continetur.

Alexander Dunbar de Kilboyak, testis juratus et examinatus, deponit conformiter priori, qui novit omnes gradus, excepto stirpe.

Jacobus Keith de Schelis, testis juratus et examinatus, deponit conformiter praecedentibus testibus.

Monanus Hogg de Bleredryne, testis juratus et examinatus, deponit conformiter priori testi in omnibus.

Quas quidem depositiones testium praedictorum ego Magister Alexander Forrest rector de Logy Montrose, prothonotarius ac datarius praedicti Reverendissimi Domini Joannis Sancti Andreae Archiepiscopi ac legati, mediis suis juramentis, corporaliter recepi et in his scriptis redegei, testantibus, meis signo et subscriptione manualibus, ut moris est in similibus, anno, mense, die quibus supra, instante venerabili patre Johanne Domino Commendatario de Lundoris pro parte praefati nobilis Domini Comitis de Bodwell, et Alexandro Dunbar de Kilboyak pro parte praedictae Jeannae Gordon, procuratoribus suis, literatorie constitutis.

A. Forrest prothonotarius ac datarius praefati Domini Reverendissimi Domini Legati

Attestor.

N U M B E R

N U M B E R III.

Copy of a letter from Queen Elisabeth to
Sir Amias Pawlet.

Amias, my most faithful and careful servant,

GOD reward thee trebblesfold in the double, for the most troublesome charge so well discharged. If you knew, *my Amias*, how kindly, beside most dutifully, my grateful heart accepts and praiseth your spotless endeavours and faithful actions, your wise orders and safe regard performed in so dangerous and crafty a charge, it would ease your travail and rejoyce your heart; in which I charge you carry this most instant thought, that I cannot balance in any weight of my judgement, the value that I prize you at, and suppose no treasure can countervail such a faith, and shall condemn me in that fault, that yet I never committed, if *I reward not* such desert; yea, let me lack when I most need it, if I acknowledge not such a merit, *non omnibus datum*. Let your wicked murders know, how with hearty sorrow her vile desert compels these orders, and bid her from me ask God forgiveness for her treacherous dealing towards the saviour of her life, many a year to the intollerable peril of her own: and yet not content with so many forgivenesses, must fall again to so horrible surpassing a woman's thoughts, much less a princess, instead of excusing whereof, not yet being so plainly confess'd by the author of my guiltless death. Let repentance take place, and let not the fiend possess her so as better part be lost; *for which I pray with hands lifted up* to him that may both save and spill. With my loving adue and prayers for thy long life,

Your most assured and loving Sovereign, as

thereto by good desert induced,

E. REGINA.

To my loving Amias.

Y y

N U M B E R

Item, Elizabeth Gordoun, Countess of Marsheal, dochtir to the first George Lord and Erle of Huntlie, and sister to the said Margaret Countess of Bodwell, ane.

Robert Keith, maister of Mersheal, her son, twa.

Elizabeth Keith, Countess of Huntlie, his dochtir, three.

And Jane Gordoun hir dochtir, the ferd.

And swa one the faderris syde attening in ferdis of con-
fanguenetie.

And swa upone hir moder syde attening in ferdis of con-
fanguenetie.

Depositiones testium juratorum in presentia

Magistri Alexandri Forrest rectoris de Logymontrois, pro-
thonotarii secretariique, et datarii Reverendissimi domini et
domini Joannis Archiepiscopi Sancti Andreæ legati, &c. in
innumeratione graduum retro: scriptorum, apud Edinburgh,
in cubiculo domini commendatarii de Lunderis, vicesimo
primo die mensis Februarii, anno 1565, talis fuit examinatio.

In primis, Jacobus Dunbar de Tarbat, testis juratus &
examinatus, deponit, Innumerationem graduum esse veram,
prout in retroscripta scedula continetur.

Alexander Dunbar de Kilboyak, testis juratus et exami-
natus, deponit conformiter priori, qui novit omnes gradus,
excepto stirpe.

Jacobus Keith de Schelis, testis juratus et examinatus,
deponit conformiter præcedentibus testibus.

Monanus Hogg de Bleredryne, testis juratus et examina-
tus, deponit conformiter priori testi in omnibus.

Quas quidem depositiones testium prædictorum ego Magister
Alexander Forrest rector de Logy Montrose, prothonotarius
ac datarius prædicti Reverendissimi Domini Joannis Sancti
Andreæ Archiepiscopi ac legati, mediis suis juramentis, cor-
poraliter recepi et in his scriptis redegì, testantibus, meis sig-
no et subscriptione manualibus, ut moris est in similibus, anno,
mense, die quibus supra, instante venerabili patre Johanne
Domino Commendatario de Lunderis pro parte præfati nobilis
Domini Comitis de Bodwell, et Alexandro Dunbar de Kilboy-
ak pro parte prædictæ Jeannæ Gordon, procuratoribus suis;
literarie constitutis.

*A. Forrest prothonotarius ac datarius præfati Domini Re-
verendissimi Domini Legati*

Attestor.

N U M B E R

N U M B E R III.

Copy of a letter from Queen Elifabeth to
Sir Amias Pawlet.

Amias, my most faithful and careful servant,

GOD reward thee trebblefold in the double, for the most troublesome charge so well discharged. If you knew, *my Amias*, how kindly, beside most dutifully, my grateful heart accepts and praiseth your spoileless endeavours and faithful actions, your wise orders and safe regard performed in so dangerous and crafty a charge, it would ease your travail and rejoyce your heart; in which I charge you carry this most instant thought, that I cannot balance in any weight of my judgement, the value that I prize you at, and suppose no treasure can countervail such a faith, and shall condemn me in that fault, that yet I never committed, if *I reward not* such desert; yea, let me lack when I most need it, if I acknowledge not such a merit, *non omnibus datum*. Let your wicked murtherers know, how with hearty sorrow her vile desert compels these orders, and bid her from me ask God forgiveness for her treacherous dealing towards the savor of her life, many a year to the intollerable peril of her own: and yet not content with so many forgivenesses, must fall again to so horrible surpassing a woman's thoughts, much less a princess, instead of excusing whereof, not yet being so plainly confess'd by the author of my guiltless death. Let repentance take place, and let not the fiend possess her so as better part be lost; *for which I pray with hands lifted up to him* that may both save and spill. With my loving adue and prayers for thy long life,

Your most assured and loving Sovereign, as

thereto by good desert induced,

E. REGINA.

To my loving Amias.

Y y

N U M B E R

NUMBER IV.

[In the Dissertation annexed to Dr Robertson's history there is a letter written by Queen Mary to the Countess of Lennox, in vindication of herself; and subjoined to it is an answer, written by the Earl of Lennox to the Countess, expressing his belief of the Queen's guilt. From these letters a strong argument is inferred against Queen Mary. It is but justice to annex the following letter from the Queen, which serves to explain that matter.]

Extract of a letter from Queen Mary to the Archbishop of Glasgow, her Ambassador at the court of France, 2d of May 1578*.

The ORIGINAL.

MAdame (la Comtesse) de Lenox, ma belle mère, est decedée depuis un mois en ça; ayant laissée une siene petite fille, dont la Reine d'Angleterre s'est retenuë la garde. J'escriis à ceux qui sont pres de mon fils, de faire instance en son nom de cette succession; non pour envie que j'aye qu'elle luy demeure, mais pour servir de declaration, que luy et moy ne devons estre reputes ni traitez en estrangers au royaume d'Angleterre, puis que nous sommes nais dans la meme isle. Cette bonne dame s'estoit, graces à Dieu, fort bien reconnue vers moi, depuis cinq ou six ans que nous avons eu intelligence ensemble: & m'a advouée par lettres escrites de sa main, que je garde, le tort qu'elle m'avoit fait en ses injustes poursuites, dressées, comme elle me la fait entendre, par son consentement, pour avoir été mal informé; mais principalement, par exprés commandement de ladite Reine d'Angleterre, & persuation de ceux de son conseil, qui avoient toujours empesché nostre appointment; lorsque ayant connu mon innocence, elle vouloit desister de me poursuivre, jusqu'à refuser plainement d'advouer ce qu'ils feroient contre moi sous son nom.

* Mem. Scots Coll. Paris, tom 11. N° 55.; Keidl, Appendix, p. 145.

A T R A N S L A T I O N.

THE Countess of Lenox, my mother-in-law, died about a month ago; and the Queen of England has taken into her care the Countess's grand-daughter*. I have written to those who are about my son to enter a claim in his name for this succession; not for any desire that I have that he should actually succeed unto it, but rather to testify that neither he nor I ought to be reputed nor treated as foreigners in England, who are born within the same isle. This good lady was, thanks to God, in very good correspondence with me these five or six years bygone, and has confessed to me, by sundry letters under her hand, which I carefully preserve, the injury she did me by the unjust pursuits which she allowed to go out against me in her name, through bad information; but principally, she said, through the express orders of the Queen of England, and the persuasion of her council; who also took much solicitude, that she and I might never come to good understanding together. But how soon she came to know of my innocence, she desisted from any further pursuit against me; nay, went so far as to refuse her consent to any thing they should act against me in her name.

* This, no doubt, is the Lady Arabella Stewart, only child to Charles Earl of Lenox, who died anno 1576.

F I N I S.



